

TITLE 9. HEALTH SERVICES

**CHAPTER 8. DEPARTMENT OF HEALTH SERVICES
FOOD, RECREATIONAL, AND INSTITUTIONAL SANITATION**

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Article 9, consisting of Sections R9-8-901 thru R9-8-917, adopted effective October 30, 1998 (Supp. 98-4).

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See Title 18, Chapter 5, Article 4.

ARTICLE 11. REPEALED

Article 11, consisting of Section R9-8-1111, repealed effective April 10, 1997 (Supp. 97-2).

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ARTICLE 14. REPEALED

Article 14, consisting of Sections R9-8-1411 thru R9-8-1413, repealed effective April 10, 1997 (Supp. 97-2).

ARTICLE 15. REPEALED

ARTICLE 16. REPEALED

ARTICLE 17. RENUMBERED

See Title 18, Chapter 8, Article 4.

ARTICLE 18. RENUMBERED

See Title 18, Chapter 8, Article 2.

ARTICLE 19. EMERGENCY EXPIRED

Article 19 consisting of Sections R9-8-1901 through R19-8-1905 adopted as an emergency effective June 18, 1984, pursuant to A.R.S. § 1-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Language deleted (Supp. 87-2).

ARTICLE 1. FOOD AND DRINK**R9-8-101. Definitions**

In addition to the terms defined in the material incorporated by reference in R9-8-107, which are designated by all capital letters, the following definitions apply in this Article, unless otherwise specified:

1. "Agency" means any board, commission, department, office, or other administrative unit of the federal government, the state, or a political subdivision of the state.
2. "Applicant" means the following PERSON requesting a LICENSE:
 - a. If an individual, the individual who owns the FOOD ESTABLISHMENT;
 - b. If a corporation, any officer of the corporation;
 - c. If a limited liability company, the designated manager or, if no manager is designated, any member of the limited liability company;
 - d. If a partnership, any two of the partners;
 - e. If a joint venture, any two individuals who signed the joint venture agreement;
 - f. If a trust, the trustee of the trust;
 - g. If a religious or nonprofit organization, the individual in the senior leadership position within the organization.
 - h. If a school district, the superintendent of the district;
 - i. If an agency, the individual in the senior leadership position within the agency; or
 - j. If a county, municipality, or other political subdivision of the state, the individual in the senior leadership position within the county, municipality, or political subdivision.
3. "Department" means the Arizona Department of Health Services.
4. "FC" means the United States Food and Drug Administration publication, Food Code: 1999 Recommendations of the United States Public Health Service, Food and Drug Administration (1999), as modified and incorporated by reference in R9-8-107.
5. "Incongruous" means inconsistent with the inspection reports of other inspectors or the REGULATORY AUTHORITY as a whole because significantly more or fewer violations of individual CRITICAL ITEMS are documented.
6. "Prepare" means to process commercially for human consumption by manufacturing, packaging, labeling, cooking, or assembling.
7. "Public health control" means a method to prevent transmission of foodborne illness to the CONSUMER.
8. "Remodel" means to change the PHYSICAL FACILITIES or PLUMBING FIXTURES in a FOOD ESTABLISHMENT'S FOOD preparation, storage, or cleaning areas through construction, replacement, or relocation, but does not include the replacement of old EQUIPMENT with new EQUIPMENT of the same type.
9. "Requester" means a PERSON who requests an approval from the REGULATORY AUTHORITY, but who is not an applicant or a LICENSE HOLDER.

Historical Note

New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-102. Applicability

This Article does not apply to the following:

1. Beneficial use of wildlife meat authorized in A.R.S. § 17-240 and 12 A.A.C. 4, Article 1;
2. Milk and milk products;

3. Group homes, as defined in A.R.S. Title 36, Chapter 5.1, Article 1;
4. Child care group homes, as defined in A.R.S. Title 36, Chapter 7.1, Article 4;
5. Residential group care facilities, as defined in 6 A.A.C. 5, Article 74, that have 20 or fewer clients;
6. Assisted living homes, as defined in 9 A.A.C. 10, Article 7;
7. Adult day health care services, as defined in 9 A.A.C. 10, Article 7, that have 15 or fewer clients; and
8. Behavioral health service agencies, licensed under 9 A.A.C. 20, that provide residential or partial care services for 10 or fewer clients.

Historical Note

New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-103. Food Establishment License Application

- A. To obtain a FOOD ESTABLISHMENT LICENSE, an applicant shall complete and submit to the REGULATORY AUTHORITY a FOOD ESTABLISHMENT LICENSE application form supplied by the REGULATORY AUTHORITY that indicates all of the following:
 1. The full name, telephone number, and mailing address of the applicant;
 2. The name, telephone number, and street address of the FOOD ESTABLISHMENT;
 3. Whether the FOOD ESTABLISHMENT is mobile or stationary;
 4. Whether the FOOD ESTABLISHMENT is temporary or permanent;
 5. Whether the FOOD ESTABLISHMENT facility is one of the following:
 - a. A new construction that is not yet completed,
 - b. An existing structure that is being converted for use as a FOOD ESTABLISHMENT, or
 - c. An existing FOOD ESTABLISHMENT facility that is being remodeled;
 6. Whether the FOOD ESTABLISHMENT prepares, offers for sale, or serves POTENTIALLY HAZARDOUS FOOD;
 7. Whether the FOOD ESTABLISHMENT does any of the following:
 - a. Prepares, offers for sale, or serves POTENTIALLY HAZARDOUS FOOD only to order upon CONSUMER request;
 - b. Prepares, offers for sale, or serves POTENTIALLY HAZARDOUS FOOD in advance, in quantities based on projected CONSUMER demand;
 - c. Prepares, offers for sale, or serves POTENTIALLY HAZARDOUS FOOD using time alone, rather than time and temperature, as the public health control as described in FC § 3-501.19;
 - d. Prepares POTENTIALLY HAZARDOUS FOOD in advance using a multiple stage FOOD preparation method that may include the following:
 - i. Combining POTENTIALLY HAZARDOUS FOOD ingredients,
 - ii. Cooking,
 - iii. Cooling,
 - iv. Reheating,
 - v. Hot or cold holding,
 - vi. Freezing, or
 - vii. Thawing;

- e. Prepares FOOD as specified under subsection (A)(7)(d) for delivery to and consumption at a location off of the PREMISES where prepared;
 - f. Prepares FOOD as specified under subsection (A)(7)(d) for service to a HIGHLY SUSCEPTIBLE POPULATION; or
 - g. Does not prepare FOOD, but offers for sale only pre-PACKAGED FOOD that is not POTENTIALLY HAZARDOUS FOOD; and
8. The applicant's signature and the date signed.
- B.** An applicant who operates FOOD ESTABLISHMENTS at multiple locations shall submit a completed LICENSE application for each location.
- Historical Note**
- New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).
- R9-8-104. Time-frames**
- A.** This Section applies to the Department and to a local health department or public health services district to which the duty to comply with A.R.S. Title 41, Chapter 6, Article 7.1 has been delegated by the Department.
- B.** The overall time-frame described in A.R.S. § 41-1072 for each type of approval granted by the REGULATORY AUTHORITY is provided in Table 1. The applicant, LICENSE HOLDER, or requester and the REGULATORY AUTHORITY may agree in writing to extend the substantive review time-frame and the overall time-frame. An extension of the substantive review time-frame and the overall time-frame may not exceed 25% of the overall time-frame.
- C.** The administrative completeness review time-frame described in A.R.S. § 41-1072 for each type of approval granted by the REGULATORY AUTHORITY is provided in Table 1 and begins on the date that the REGULATORY AUTHORITY receives an application or request for approval.
1. The REGULATORY AUTHORITY shall mail a notice of administrative completeness or deficiencies to the applicant, LICENSE HOLDER, or requester within the administrative completeness review time-frame.
 - a. A notice of deficiencies shall list each deficiency and the information and documentation needed to complete the application or request for approval.
 - b. If the REGULATORY AUTHORITY issues a notice of deficiencies within the administrative completeness review time-frame, the administrative completeness review time-frame and the overall time-frame are suspended from the date that the notice is issued until the date that the REGULATORY AUTHORITY receives the missing information from the applicant, LICENSE HOLDER, or requester.
 - c. If the applicant, LICENSE HOLDER, or requester fails to submit to the REGULATORY AUTHORITY all of the information and documents listed in the notice of deficiencies within 180 days from the date that the REGULATORY AUTHORITY mailed the notice of deficiencies, the REGULATORY AUTHORITY shall consider the application or request for approval withdrawn.
 2. If the REGULATORY AUTHORITY issues a LICENSE or other approval to the applicant, LICENSE HOLDER, or requester during the administrative completeness review time-frame, the REGULATORY AUTHORITY shall not issue a separate written notice of administrative completeness.
- D.** The substantive review time-frame described in A.R.S. § 41-1072 is provided in Table 1 and begins as of the date on the notice of administrative completeness.
1. The REGULATORY AUTHORITY shall mail written notification of approval or denial of the application or other request for approval to the applicant, LICENSE HOLDER, or requester within the substantive review time-frame.
 2. As part of the substantive review for a FOOD ESTABLISHMENT LICENSE, the REGULATORY AUTHORITY may complete an inspection that may require more than 1 visit to the FOOD ESTABLISHMENT.
 3. During the substantive review time-frame, the REGULATORY AUTHORITY may make 1 comprehensive written request for additional information, unless the REGULATORY AUTHORITY and the applicant, LICENSE HOLDER, or requester have agreed in writing to allow the REGULATORY AUTHORITY to submit supplemental requests for information.
 - a. The comprehensive written request regarding a FOOD ESTABLISHMENT LICENSE application may include a request for submission of plans and specifications, as described in FC § 8-201.11.
 - b. The comprehensive written request regarding a request for a VARIANCE under FC § 8-103.10 may include a request for a HACCP PLAN, as described in FC § 8-201.13(A), if the REGULATORY AUTHORITY determines that a HACCP PLAN is required.
 - c. If the REGULATORY AUTHORITY issues a comprehensive written request or a supplemental request for information, the substantive review time-frame and the overall time-frame are suspended from the date that the REGULATORY AUTHORITY issues the request until the date that the REGULATORY AUTHORITY receives all of the information requested.
 4. The REGULATORY AUTHORITY shall issue a license or an approval unless:
 - a. For a FOOD ESTABLISHMENT LICENSE application, the REGULATORY AUTHORITY determines that the application for a FOOD ESTABLISHMENT LICENSE or the FOOD ESTABLISHMENT does not satisfy all of the requirements of this Article;
 - b. For a VARIANCE, the REGULATORY AUTHORITY determines that the request for a VARIANCE fails to demonstrate that the VARIANCE will not result in a health HAZARD or nuisance;
 - c. For approval of plans and specifications, the REGULATORY AUTHORITY determines that the plans and specifications do not satisfy all of the requirements of this Article;
 - d. For approval of a HACCP PLAN, the REGULATORY AUTHORITY determines that the HACCP PLAN does not satisfy all of the requirements of this Article;
 - e. For approval of an inspection form, the Department determines that the inspection form does not satisfy all of the requirements of R9-8-108(B)-(C); or
 - f. For approval of a quality assurance program, the Department determines that the quality assurance program does not satisfy all of the requirements of R9-8-108(E)(1).
 5. If the REGULATORY AUTHORITY denies an application or request for approval, the REGULATORY

AUTHORITY shall send to the applicant, LICENSE HOLDER, or requester a written notice of denial setting forth the reasons for the denial and all other information required by A.R.S. § 41-1076.

- E. For the purpose of computing time-frames in this Section, the day of the act, event, or default from which the designated period of time begins to run is not included. Intermediate Saturdays, Sundays, and legal holidays are included in the computation.

The last day of the period so computed is included unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day that is not a Saturday, a Sunday, or a legal holiday.

Historical Note

New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

Table 1. Time-frames (in days)

Type of Approval	Statutory Authority	Overall Time-frame	Administrative Completeness Review Time-frame	Substantive Review Time-frame
FOOD ESTABLISHMENT LICENSE	A.R.S. § 36-136(H)(4)	60	30	30
Approval of VARIANCE under FC § 8-103.10	A.R.S. § 36-136(H)(4)	90	30	60
Approval of Plans and Specifications under FC § 8-201.11	A.R.S. § 36-136(H)(4)	90	30	60
Approval of HACCP PLAN under FC § 8-201.13	A.R.S. § 36-136(H)(4)	90	30	60
Approval of Inspection Form	A.R.S. § 36-136(H)(4)	90	30	60
Approval of Quality Assurance Program	A.R.S. § 36-136(H)(4)	90	30	60

Historical Note

New Table made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-105. Issuance of License

A FOOD ESTABLISHMENT LICENSE issued by the REGULATORY AUTHORITY shall bear the following information:

1. The name of the FOOD ESTABLISHMENT,
2. The street address of the FOOD ESTABLISHMENT,
3. The full name of the LICENSE HOLDER,
4. The mailing address of the LICENSE HOLDER, and
5. A unique identification number assigned by the REGULATORY AUTHORITY.

Historical Note

New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-106. License Suspension or Revocation

- A. The REGULATORY AUTHORITY may suspend or revoke a FOOD ESTABLISHMENT LICENSE if the LICENSE HOLDER:

1. Violates this Article or A.R.S. § 36-601, or
2. Provides false information on a LICENSE application.

- B. A LICENSE revocation or suspension hearing shall be conducted as follows:

1. If the REGULATORY AUTHORITY is the Department, the hearing shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and any rules promulgated by the Office of Administrative Hearings;
2. If the REGULATORY AUTHORITY is a local health department or public health services district to which the duty to comply with A.R.S. Title 41, Chapter 6, Article 10 has been delegated, the hearing shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and any rules promulgated by the Office of Administrative Hearings; and

3. For all other REGULATORY AUTHORITIES, a LICENSE revocation or suspension hearing shall be conducted in accordance with the procedures adopted by a county board of supervisors as required by A.R.S. § 36-183.04(E).

Historical Note

New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-107. Food Safety Requirements

- A. A LICENSE HOLDER shall comply with the United States Food and Drug Administration publication, Food Code: 1999 Recommendations of the United States Public Health Service, Food and Drug Administration (1999), as modified, which is incorporated by reference. This incorporation by reference contains no future editions or amendments. The incorporated material is on file with the Department and the Office of the Secretary of State; is available for purchase from the United States Department of Commerce, Technology Administration, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, as report number PB99-115925, or from the United States Government Printing Office, Superintendent of Documents, Mail Stop: SSOP, Washington, D.C. 20402-9328, as ISBN 0-16-050028-1; and is available on the Internet at <http://www.fda.gov>.

- B. The material incorporated by reference in subsection (A) is modified as follows:

1. Where the term "permit" appears, it is replaced with "license";
2. Subparagraph 1-201.10(B)(2)(a) is modified to read: "'Food additive' has the meaning stated in A.R.S. § 36-901(7).";

3. Subparagraph 1-201.10(B)(2)(b) is modified to read: "‘Color additive’ has the meaning stated in A.R.S. § 36-901(2).";
4. Subparagraph 1-201.10(B)(3) is modified to read: "‘Adulterated’ means possessing 1 or more of the conditions enumerated in A.R.S. § 36-904(A).";
5. Subparagraph 1-201.10(B)(4) is modified to read: "‘Approved’ means acceptable to the REGULATORY AUTHORITY or to the FOOD regulatory agency that has jurisdiction based on a determination of conformity with principles, practices, and generally recognized standards that protect public health.";
6. Subparagraph 1-201.10(B)(14) is modified by deleting "or FOOD PROCESSING PLANT";
7. Subparagraph 1-201.10(B)(31)(c)(iii) is deleted;
8. Subparagraph 1-201.10(B)(32) is modified to read: "‘Food processing plant’ means a FOOD ESTABLISHMENT that manufactures, packages, labels, or stores FOOD for human consumption and does not provide FOOD directly to a CONSUMER.";
9. Subparagraph 1-201.10(B)(50)(a) is modified to read: "‘Packaged’ means bottled, canned, cartoned, securely bagged, or securely wrapped.";
10. Subparagraph 1-201.10(B)(54) is modified to read: "‘Person in charge’ means the individual present at a FOOD ESTABLISHMENT who is responsible for the management of the operation at the time of inspection.";
11. Subparagraph 1-201.10(B)(69) is modified to read: "‘Regulatory authority’ means the Department or a local health department or public health services district operating under a delegation of authority from the Department.";
12. Paragraph 3-202.11(C) is modified to read: "POTENTIALLY HAZARDOUS FOOD that is cooked to a temperature and for a time specified under §§ 3-401.11 - 3-401.13 and received hot shall be at a temperature of 54° C (130° F) or above.";
13. Paragraph 3-202.14(B) is deleted;
14. Paragraph 3-202.14(C) is deleted;
15. Paragraph 3-202.14(D) is deleted;
16. Paragraph 3-202.17(B) is deleted;
17. Paragraph 3-202.18(B) is deleted;
18. Paragraph 3-203.11(A) is modified to read: "Except as specified in ¶¶ (B) and (C) of this Section, MOLLUSCAN SHELLFISH may not be removed from the container in which they are received other than immediately before sale, preparation for service, or preparation in a FOOD PROCESSING PLANT licensed by the REGULATORY AUTHORITY.";
19. Paragraph 3-203.12(B) is modified to read:

“(B) The identity of the source of SHELLSTOCK that are prepared by a FOOD PROCESSING PLANT licensed by the REGULATORY AUTHORITY, sold, or served shall be maintained by retaining SHELLSTOCK tags or labels for 90 calendar days from the date the container is emptied by:

 - (1) Using an APPROVED record keeping system that keeps the tags or labels in chronological order correlated to the date when, or dates during which, the SHELLSTOCK are prepared by a FOOD PROCESSING PLANT licensed by the REGULATORY AUTHORITY, sold, or served; and
 - (2) If SHELLSTOCK are removed from their tagged or labeled container:
 - (a) Using only 1 tagged or labeled container at a time, or
 - (b) Using more than 1 tagged or labeled container at a time and obtaining a VARIANCE from the REGULATORY AUTHORITY as specified in § 8-103.10 based on a HACCP PLAN that:
 - (i) Is submitted by the LICENSE HOLDER and APPROVED as specified under § 8-103.11,
 - (ii) Preserves source identification by using a record keeping system as specified under Subparagraph (B)(1) of this Section, and
 - (iii) Ensures that SHELLSTOCK from 1 tagged or labeled container are not commingled with SHELLSTOCK from another container before being ordered by the CONSUMER or prepared by a FOOD PROCESSING PLANT licensed by the REGULATORY AUTHORITY.”;
20. Paragraph 3-301.11(B) is modified by replacing “SINGLE-USE gloves” with “non-latex SINGLE-USE gloves”;
21. Paragraph 3-304.12(F) is modified to read: “In a container of water if the water is maintained at a temperature of at least 54° C (130° F) and the container is cleaned at a frequency specified under Subparagraph 4-602.11(D)(7).”;
22. Section 3-304.15 is modified by adding a new Paragraph (E):

“(E) Latex gloves may not be used in direct contact with FOOD.”;
23. Section 3-401.13 is modified to read: “Fruits and vegetables that are cooked for hot holding shall be cooked to a temperature of 54° C (130° F).”;
24. Paragraph 3-403.11(C) is modified to read: “READY-TO-EAT FOOD taken from a commercially processed, HERMETICALLY SEALED CONTAINER, or from an intact package from a FOOD PROCESSING PLANT that is inspected by the FOOD regulatory agency that has jurisdiction over the plant, shall be heated to a temperature of at least 54° C (130° F) for hot holding.”;
25. Subparagraph 3-501.14(A)(1) is modified to read: “Within 2 hours, from 54° C (130° F) to 21° C (70° F); and”;
26. Paragraph 3-501.16(A) is modified to read: “At 54° C (130° F) or above; or”;
27. Subparagraph 3-501.16(C)(2) is modified to read: “Within 10 years of the adoption of this Code, the EQUIPMENT is upgraded or replaced to maintain FOOD at a temperature of 5° C (41° F) or less.”;
28. Section 3-502.11 is modified by deleting “custom processing animals that are for personal use as FOOD and not for sale or service in a FOOD ESTABLISHMENT.”;
29. Section 3-603.11 is modified by deleting “milk”;
30. Paragraph 3-701.11(C) is modified by replacing “who has been restricted or excluded as specified under § 2-201.12” with “who has any of the conditions that require reporting to the PERSON IN CHARGE under § 2-201.11 or who has been excluded by the REGULATORY AUTHORITY under the communicable disease rules at 9 A.A.C. 6”;
31. Subparagraph 4-602.11(D)(7) is modified by replacing “60° C (140° F)” with “54° C (130° F)”;
32. Section 5-101.13 is modified to read: “BOTTLED DRINKING WATER used or sold in a FOOD ESTABLISHMENT shall be obtained from APPROVED sources, in accordance with LAW.”;

33. Paragraph 5-501.116(A) is modified by replacing “§ 5-402.14” with “§§ 5-402.13 and 5-403.11”;
34. Section 6-501.116 is added to read:
“6-501.116 Vending Machine Signs.
The LICENSE HOLDER for a VENDING MACHINE shall affix to the VENDING MACHINE a permanent sign that includes:
 1. A unique identifier for the VENDING MACHINE, and
 2. A telephone number for CONSUMERS to contact the LICENSE HOLDER.”;
35. Paragraph 8-101.10(A) is modified by deleting “, as specified in § 1-102.10.”;
36. Paragraph 8-201.11(C) is modified by replacing “as specified under ¶ 8-302.14(C)” with “as described in R9-8-103(A)(6)-(7)”;
37. Paragraph 8-304.11(D) is modified to read: “Require FOOD EMPLOYEE applicants to whom a conditional offer of employment is made and FOOD EMPLOYEES to report to the PERSON IN CHARGE the information required under § 2-201.11”;
38. Paragraph 8-304.11(H) is modified by replacing “5 years” with “10 years”;
39. Section 8-304.20 is modified by replacing “as specified under ¶ 8-302.14(C)” with “as described in R9-8-103(A)(6)-(7)”;
40. Section 8-402.11 is modified by adding the following at the end of the Section: “The Department or a local health department or public health services district to which the duty to comply with A.R.S. § 41-1009 has been delegated by the Department shall comply with A.R.S. § 41-1009 when performing inspections.”;
41. Section 8-403.50 is modified by deleting “Except as specified in § 8-202.10,” and capitalizing “the”;
42. Section 8-404.12 is modified by adding the following at the end of the Section: “The REGULATORY AUTHORITY shall approve or deny resumption of operations within 5 days after receipt of the LICENSE HOLDER’S request to resume operations.”;
43. Section 8-405.11 is modified by adding the following at the end of the Section:
“(C) The Department or a local health department or public health services district to which the duty to comply with A.R.S. § 41-1009 has been delegated by the Department shall not provide the LICENSE HOLDER an opportunity to correct critical Code violations or HACCP PLAN deviations after the date of inspection if the Department or the local health department or public health services district determines that the deficiencies are:
 - (1) Committed intentionally;
 - (2) Not correctable within a reasonable period of time;
 - (3) Evidence of a pattern of noncompliance; or
 - (4) A risk to any PERSON; the public health, safety, or welfare; or the environment.
 (D) If the Department or a local health department or public health services district to which the duty to comply with A.R.S. § 41-1009 has been delegated by the Department allows the LICENSE HOLDER an opportunity to correct violations or deviations after the date of inspection, the Department, local health department, or public health services district shall inspect the FOOD ESTABLISHMENT within 24 hours after the deadline for correction has expired. If the Department, local health department, or public health services district determines that the violations or deviations have not been corrected, the Department, local health department, or public health services district may take any enforcement action authorized by LAW, based upon those violations or deviations. (E) A decision made under subparagraph 8-405.11(C) or subparagraph 8-405.11(D) by the Department or a local health department or public health services district to which the duty to comply with A.R.S. § 41-1009 has been delegated by the Department is not an appealable agency action, as defined by A.R.S. § 41-1092.”;
44. The following FC Sections are deleted:
 - a. Section 1-102.10,
 - b. Section 1-103.10,
 - c. Section 2-201.12,
 - d. Section 2-201.13,
 - e. Section 2-201.14,
 - f. Section 2-201.15,
 - g. Section 3-201.13,
 - h. Section 8-102.10,
 - i. Section 8-202.10,
 - j. Section 8-302.11,
 - k. Section 8-302.12,
 - l. Section 8-302.13,
 - m. Section 8-302.14,
 - n. Section 8-303.10,
 - o. Section 8-303.20,
 - p. Section 8-303.30,
 - q. Section 8-402.20,
 - r. Section 8-402.30,
 - s. Section 8-402.40,
 - t. Section 8-403.10,
 - u. Section 8-501.10,
 - v. Section 8-501.20,
 - w. Section 8-501.30, and
 - x. Section 8-501.40; and
45. The annexes are excluded.

Historical Note

New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-108. Inspection Standardization and Documentation

- A. At each inspection, the REGULATORY AUTHORITY shall, at a minimum, inspect for compliance with each of the applicable CRITICAL ITEMS in the following categories:
 1. Temperature control of POTENTIALLY HAZARDOUS FOODS, as required by FC §§ 3-401.11, 3-401.12, 3-403.11, 3-501.14, and 3-501.16;
 2. EMPLOYEE health and hygienic practices, as required by FC §§ 2-201.11, 2-301.11, 2-301.12, 2-301.14, 2-401.11, 2-401.12, 2-403.11, 3-301.11, 3-301.12, and 5-203.11;
 3. Time as a public health control, as required by FC § 3-501.19;
 4. FOOD condition and source, as required by FC §§ 3-101.11, 3-201.11, 3-201.12, 3-201.14, 3-201.15, 3-201.16, 3-201.17, 3-202.11, 3-202.13, 3-202.14, 3-202.15, 3-202.16, 3-202.18, 3-203.12, 5-101.11, and 5-101.13;
 5. CONSUMER advisories, as required by FC § 3-603.11;
 6. Contamination prevention, as required by FC §§ 3-302.11, 3-302.13, 3-302.14, 3-304.11, 3-306.13, 3-306.14, 4-601.11, 4-602.11, 4-702.11, 4-703.11, 5-101.12, 5-201.11, and 5-202.11;
 7. Date marking and disposal of READY-TO-EAT FOODS, as required by FC §§ 3-501.17 and 3-501.18;

8. Responsibility and knowledge of the PERSON IN CHARGE, as required by FC §§ 2-101.11 and 2-102.11; and
 9. Compliance with a HACCP PLAN or VARIANCE, as required by FC § 8-103.12;
- B.** The REGULATORY AUTHORITY shall document its inspection results on an inspection report form provided or approved by the Department. The inspection report form shall include the following:
1. The name and address of the FOOD ESTABLISHMENT inspected;
 2. The LICENSE number of the FOOD ESTABLISHMENT inspected;
 3. The date of inspection;
 4. The type of inspection;
 5. A rating for each of the observed CRITICAL ITEMS listed in subsection (A), using a rating scheme that indicates whether the CRITICAL ITEM is met;
 6. Space for comments, including observed violations of non-CRITICAL ITEMS;
 7. Signature and date lines for the PERSON IN CHARGE of the FOOD ESTABLISHMENT; and
 8. Signature and date lines for the inspector conducting the inspection.
- C.** The REGULATORY AUTHORITY shall also document on the inspection form the applicable CRITICAL ITEMS listed in subsection (A) that were not observed during the inspection, unless the REGULATORY AUTHORITY has a quality assurance program that has been approved by the Department under subsection (E).
- D.** If a REGULATORY AUTHORITY desires to create its own inspection form, the REGULATORY AUTHORITY may request approval of its inspection form by submitting a written request to the Department along with a copy of the inspection form for which approval is sought. The Department shall approve an inspection form if it determines that the inspection form satisfies all of the requirements of subsections (B) and (C).
- E.** A REGULATORY AUTHORITY may request approval of a quality assurance program by submitting a written request to the Department along with a description of the quality assurance program for which approval is sought.
1. The quality assurance program shall include the following:
 - a. A system for monitoring the inspection reports completed by each inspector every 6 months and comparing them to the reports of other inspectors and the REGULATORY AUTHORITY as a whole with respect to the number and types of violations documented during the same period;
 - b. Identification of each inspector whose inspection reports are incongruous;
 - c. Reinspection of a representative sample of an inspector's FOOD ESTABLISHMENTS for which inspection reports are incongruous by a quality assurance inspector within 30 days of identification of an inspector under subsection (E)(1)(b) to determine whether the incongruous reports indicate a misapplication of the rules by the inspector;
 - d. Follow-up with each inspector determined by a quality assurance inspector to have misapplied the rules:
 - i. If the inspector has not previously required follow-up, additional training by a quality assurance inspector regarding any misapplication of the rules by the inspector;
 - ii. If the inspector has previously received additional training under subsection (E)(1)(d)(i), formal counseling by the inspector's direct supervisor and a quality assurance inspector; or
 - iii. If the inspector has previously been formally counseled under subsection (E)(1)(d)(ii), disciplinary action; and
 - e. Consideration by the REGULATORY AUTHORITY of any misapplication of the rules by the inspector when completing the inspector's performance evaluations.
 2. The Department shall approve a quality assurance program if it determines that the quality assurance program satisfies all of the requirements of subsection (E)(1).

Historical Note

New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-109. Cease and Desist and Abatement

- A.** Engaging in any practice in violation of this Article is a public nuisance.
- B.** If the REGULATORY AUTHORITY has reasonable cause to believe that any FOOD ESTABLISHMENT is creating or maintaining a nuisance, the REGULATORY AUTHORITY shall order the LICENSE HOLDER for the FOOD ESTABLISHMENT to cease and desist the activity and to abate the nuisance as follows:
1. The REGULATORY AUTHORITY shall serve upon the LICENSE HOLDER for the FOOD ESTABLISHMENT a written cease and desist and abatement order requiring the LICENSE HOLDER to cease and desist the activity and to remove the nuisance at the LICENSE HOLDER's expense within 24 hours after service of the order. The order shall contain the following:
 - a. A reference to the statute or rule that is alleged to have been violated or on which the order is based,
 - b. A description of the LICENSE HOLDER's right to request a hearing, and
 - c. A description of the LICENSE HOLDER's right to request an informal settlement conference.
 2. The REGULATORY AUTHORITY shall serve the order and any subsequent notices by personal delivery or certified mail, return receipt requested, to the LICENSE HOLDER's or other party's last address of record with the REGULATORY AUTHORITY or by any other method reasonably calculated to effect actual notice on the LICENSE HOLDER or other party.
 3. The LICENSE HOLDER or another party whose rights are determined by the order may obtain a hearing to appeal the order by filing a written notice of appeal with the REGULATORY AUTHORITY within 30 days after service of the order. The LICENSE HOLDER or other party appealing the order shall serve the notice of appeal upon the REGULATORY AUTHORITY by personal delivery or certified mail, return receipt requested, to the office of the REGULATORY AUTHORITY or by any other method reasonably calculated to effect actual notice on the REGULATORY AUTHORITY.
 4. If a notice of appeal is timely filed, the REGULATORY AUTHORITY shall do 1 of the following:
 - a. If the REGULATORY AUTHORITY is the Department or a local health department or public health services district to which the duty to comply with A.R.S. Title 41, Chapter 6, Article 10 has been delegated, the notification and hearing shall comply with A.R.S. Title 41, Chapter 6, Article 10 and any rules

promulgated by the Office of Administrative Hearings.

- b. For all other regulatory authorities, the notification and hearing shall comply with the procedures adopted by a county board of supervisors as required by A.R.S. § 36-183.04(E).

5. If no written notice of appeal is timely filed, the order shall become final without further proceedings.

- C. The REGULATORY AUTHORITY shall inspect the FOOD ESTABLISHMENT 24 hours after service of the order to determine whether the LICENSE HOLDER has complied with the order. If the REGULATORY AUTHORITY determines upon inspection that the LICENSE HOLDER has not ceased the activity and abated the nuisance, the REGULATORY AUTHORITY shall cause the nuisance to be removed, regardless of whether the LICENSE HOLDER is appealing the order.
- D. If the LICENSE HOLDER fails or refuses to comply with the order after a hearing has upheld the order or after the time to appeal the order has expired, the REGULATORY AUTHORITY may file an action against the LICENSE HOLDER in the superior court of the county in which the violation occurred, requesting that a permanent injunction be issued to restrain the LICENSE HOLDER from engaging in further violations as described in the order.

Historical Note

New Section made by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-110. Reserved

R9-8-111. Repealed

Historical Note

Amended effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-112. Repealed

Historical Note

Former Section R9-8-112 repealed, new Section R9-8-112 adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-113. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-114. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-115. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-116. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-117. Repealed

Historical Note

Corrected Article reference (Supp. 77-3). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-118. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-119. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-120. Reserved

R9-8-121. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-122. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-123. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-124. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-125. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-126. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-127. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-128. Reserved

R9-8-129. Reserved

R9-8-130. Reserved

R9-8-131. Repealed

Historical Note

Former Section R9-8-131 repealed, new Section R9-8-131 adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-132. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-133. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-134. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-135. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-136. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Amended effective August 6, 1990 (Supp. 90-3). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-137. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-138. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-139. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-140. Repealed

Historical Note

Adopted effective July 10, 1979 (Supp. 79-4). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-141. Reserved

R9-8-142. Reserved

R9-8-143. Reserved

R9-8-144. Reserved

R9-8-145. Reserved

R9-8-146. Reserved

R9-8-147. Reserved

R9-8-148. Reserved

R9-8-149. Reserved

R9-8-150. Reserved

R9-8-151. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-152. Reserved

R9-8-153. Reserved

R9-8-154. Reserved

R9-8-155. Reserved

R9-8-156. Repealed

Historical Note

Correction of reference from R9-1-415(B) to R9-1-415(A) (Supp. 83-3). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-157. Reserved

R9-8-158. Reserved

R9-8-159. Reserved

R9-8-160. Repealed

Historical Note

Adopted effective January 18, 1977 (Supp. 77-1). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-161. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-162. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-163. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-164. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-165. Repealed

Historical Note

Adopted effective January 18, 1977 (Supp. 77-1). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-166. Reserved

R9-8-167. Reserved

R9-8-168. Reserved

R9-8-169. Reserved

R9-8-170. Reserved

R9-8-171. Repealed

Historical Note

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-172. Repealed**Historical Note**

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-173. Repealed**Historical Note**

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-174. Repealed**Historical Note**

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-175. Repealed**Historical Note**

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-176. Repealed**Historical Note**

Correction, subsection (A), reference R9-1-412(D) should read R9-1-415(B) (Supp. 83-3). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-177. Repealed**Historical Note**

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-178. Repealed**Historical Note**

Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-179. Reserved**R9-8-180. Reserved****R9-8-181. Repealed****Historical Note**

Legislative enactment transferred function of meat inspection to the Livestock Sanitary Board by Laws 1973, Ch. 158. Responsibility for meat inspection returned to Department of Health Services by Laws 1977, Ch. 92, effective May 26, 1977. Amended as an emergency effective June 6, 1977 (Supp. 77-3). Emergency filings valid for 90 days pursuant to A.R.S. § 41-1003. New Section R9-8-181 adopted effective March 29, 1978 (Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-182. Repealed**Historical Note**

Legislative enactment transferred function of meat inspection to the Livestock Sanitary Board by Laws 1973, Ch. 158. Responsibility for meat inspection returned to Department of Health Services by Laws 1977, Ch. 92, effective May 26, 1977. Amended as an emergency effective June 6, 1977 (Supp. 77-3). Emergency filings valid for 90 days pursuant to A.R.S. § 41-1003.

New Section R9-8-182 adopted effective March 29, 1978 (Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-183. Repealed**Historical Note**

Legislative enactment transferred function of meat inspection to the Livestock Sanitary Board by Laws 1973, Ch. 158. Responsibility for meat inspection returned to Department of Health Services by Laws 1977, Ch. 92, effective May 26, 1977. Amended as an emergency effective June 6, 1977 (Supp. 77-3). Emergency filings valid for 90 days pursuant to A.R.S. § 41-1003. New Section R9-8-183 adopted effective March 29, 1978 (Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-184. Repealed**Historical Note**

Legislative enactment transferred function of meat inspection to the Livestock Sanitary Board by Laws 1973, Ch. 158. Responsibility for meat inspection returned to Department of Health Services by Laws 1977, Ch. 92, effective May 26, 1977. Amended as an emergency effective June 6, 1977 (Supp. 77-3). Emergency filings valid for 90 days pursuant to A.R.S. § 41-1003. New Section R9-8-184 adopted effective March 29, 1978 (Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-185. Repealed**Historical Note**

Legislative enactment transferred function of meat inspection to the Livestock Sanitary Board by Laws 1973, Ch. 158. Responsibility for meat inspection returned to Department of Health Services by Laws 1977, Ch. 92, effective May 26, 1977. Amended as an emergency effective June 6, 1977 (Supp. 77-3). Emergency filings valid for 90 days pursuant to A.R.S. § 41-1003. New Section R9-8-185 adopted effective March 29, 1978 (Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-186. Repealed**Historical Note**

Legislative enactment transferred function of meat inspection to the Livestock Sanitary Board by Laws 1973, Ch. 158. Responsibility for meat inspection returned to Department of Health Services by Laws 1977, Ch. 92, effective May 26, 1977. Amended as an emergency effective June 6, 1977 (Supp. 77-3). Emergency filings valid for 90 days pursuant to A.R.S. § 41-1003. New Section R9-8-186 adopted effective March 29, 1978 (Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-187. Repealed**Historical Note**

Legislative enactment transferred function of meat inspection to the Livestock Sanitary Board by Laws 1973, Ch. 158. Responsibility for meat inspection returned to Department of Health Services by Laws 1977, Ch. 92, effective May 26, 1977. Amended as an emergency effective June 6, 1977 (Supp. 77-3). Emergency filings valid for 90 days pursuant to A.R.S. § 41-1003. New Section R9-8-187 adopted effective March 29, 1978

(Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-188. Repealed

Historical Note

Legislative enactment transferred function of meat inspection to the Livestock Sanitary Board by Laws 1973, Ch. 158. Responsibility for meat inspection returned to Department of Health Services by Laws 1977, Ch. 92, effective May 26, 1977. Amended as an emergency effective June 6, 1977 (Supp. 77-3). Emergency filings valid for 90 days pursuant to A.R.S. § 41-1003. New Section R9-8-188 adopted effective March 29, 1978 (Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-189. Repealed

Historical Note

Adopted effective March 29, 1978 (Supp. 78-2). Section repealed by final rulemaking at 7 A.A.R. 1719, effective October 3, 2001 (Supp. 01-2).

R9-8-190. Reserved

R9-8-191. Repealed

Historical Note

Repealed effective August 6, 1990 (Supp. 90-3).

ARTICLE 2. BOTTLED WATER

R9-8-201. Definitions

In this Article, unless the context otherwise requires:

1. "Approved source", when used in reference to a plant's water product or water used in the plant's operations, means the source of the water and the water therefrom, whether it be from a spring, artesian well, drilled well, municipal water supply or any other source that has been inspected by the Arizona Department of Environmental Quality and issued a certificate or notification of approval.
2. "Artesian well water" means natural water from a well tapping an aquifer in which the water level will stand above the bottom of the confining bed of the aquifer and in which the hydraulic pressure of the water in the aquifer is greater than the force of gravity.
3. "Bottled water" means water that is from an approved source and is placed by a food establishment in a sealed container or package for human consumption or other consumer uses and has been produced by any of the processes described in R9-8-203 or which has undergone minimum treatment consisting of filtration (activated carbon and/or particulate) and ozonation or an equivalent process.
4. "Carbonated water" means bottled water containing carbon dioxide. It is also known as "sparkling water" or "soda water".
5. "Cleaning-in-place" means the automatic or mechanical cleaning and/or sanitizing of a stationary piece of equipment.
6. "CFR" means the Code of Federal Regulations.
7. "Department" means the Arizona Department of Health Services or a local health department designated by the Director.
8. "Distilled water" means water which has been produced by a process of distillation and meets the definition of purified water on page 1124 of The United States Pharmacopoeia (21st rev.) dated 1985, Mack Publishing Company, Easton, Pennsylvania 18042, incorporated herein

by reference and on file with the Office of the Secretary of State.

9. "Drinking water" means water obtained from an approved source for purposes of human consumption.
10. "Filler equipment" means a machine used for the purpose of bottling or packaging liquids.
11. "Fluoridated water" means water containing naturally occurring or added fluoride of not less than 0.8 milligram per liter fluoride ion and complying with the Food and Drug Administration quality standards set forth in 21 CFR 103.35(d)(2) (4-1-89 Ed.), incorporated herein by reference and on file with the Office of the Secretary of State.
12. "Mineral water" means "natural water" that contains not less than 500 parts per million dissolved mineral solids and whose source is approved by the Department of Environmental Quality.
13. "Mineralized water" means water which has been modified by mineral addition or deletion and contains not less than 500 parts per million dissolved mineral solids and whose source is approved by the Department of Environmental Quality.
14. "Natural water" means spring, artesian well or well water, derived from an underground formation, which is unmodified by blending with water from another source or by mineral addition or deletion but may be treated to reduce the concentration of any substance, except minerals, to meet the safe drinking water standards established by the Arizona Department of Environmental Quality.
15. "Naturally carbonated" or "naturally sparkling" means water that contains carbon dioxide and that emerges from the source and is bottled directly with its entrapped gas or from which the gas is mechanically separated from the water and later reintroduced into the water at the time of bottling.
16. "Purified water" means water produced by distillation, deionization or reverse osmosis and meets the definition of purified water on page 1124 in The United States Pharmacopoeia (21st rev.) dated 1985, Mack Publishing Company, Easton, Pennsylvania 18042, incorporated herein by reference and on file with the Office of the Secretary of State.
17. "Soda water" means bottled water containing carbon dioxide.
18. "Sparkling water" means bottled water containing carbon dioxide.
19. "Spring water" means water other than artesian that is derived from a natural underground stratum that flows naturally or by external enhancement to the surface through a natural orifice or from a bore hole adjacent to the natural orifice and which meets the requirements of "natural water".
20. "Well water" means water from a hole bored into the ground which taps the water of the aquifer and which meets the requirements of "natural water".

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

R9-8-202. Water quality and source

- A. All bottled water processed in Arizona shall be obtained from a source whose quality is approved by the Director of the Department of Environmental Quality in accordance with the provisions of the A.A.C. Title 18, Chapter 4, Article 2.
- B. With the exception of mineral water, mineralized water and carbonated water, bottled water processed or sold in Arizona shall meet or exceed the minimum quality standards pre-

scribed by 21 CFR 103.35 (4-1-89 Ed.), incorporated herein by reference and on file with the Office of the Secretary of State.

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

R9-8-203. Processing practices

- A. All bottled water processed or sold in Arizona shall be processed and packaged in accordance with the U.S. Food and Drug Administration's Good Manufacturing Practice regulations for bottled water beginning at 21 CFR 129 (4-1-89 Ed.), incorporated herein by reference and on file with the Office of the Secretary of State.
- B. Bottled water shall not be processed or bottled through a line or other equipment used for any other purpose, except that filler equipment used to bottle liquids intended for human consumption may also be used to bottle water, provided:
 - 1. Filler and processing equipment, unless specifically designed for cleaning-in-place, shall be completely disassembled and cleaned after each use and sterilized after assembly.
 - 2. A separate set of gaskets, O-rings and similar flexible material is used for bottling water.
 - 3. A physical break exists between all processing lines at the filler inlet.
- C. The provisions of R9-8-203(B) shall not apply to soft drink bottling operations processing carbonated water.

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

R9-8-204. Labeling requirements

- A. All bottled water processed or sold in Arizona shall conform to the requirements established in A.R.S. § 36-906 and shall be labeled in compliance with one of the following standards:
 - 1. Mineral water shall be labeled "mineral water" or "natural mineral water".
 - 2. Mineralized water shall be labeled "mineralized water".
 - 3. Spring water shall be labeled "spring water" or "natural spring water".
 - 4. Naturally carbonated or naturally sparkling water shall be labeled with the words "naturally carbonated" or "naturally sparkling".
 - 5. Bottled water which contains carbon dioxide, other than "naturally carbonated or naturally sparkling", shall be labeled with the words "carbonated" or "sparkling" or "soda water".
 - 6. Well water shall be labeled "well water" or "natural well water".
 - 7. Artesian well water shall be labeled "Artesian well water", "natural artesian well water" or "natural well water."
 - 8. Purified water shall be labeled "purified water" and the method of preparation shall be stated on the label except that purified water produced by distillation may be labeled "distilled water".
 - 9. Drinking water shall be labeled "drinking water".
- B. Any bottler, distributor, or vendor of bottled water whose corporate name, brand name or trademark contains the words "well", "artesian well", "natural" or any derivation of these words shall label each bottle with the source of the water in typeface at least equal to the size of the typeface of the corporate name or trademark if the actual source of the bottled water is different from the source stated in the corporate name, brand name or trademark.
- C. The use of words "spring", "spring fresh", "spring brand", "spring type" or other language containing the word "spring"

in a corporate name, brand name or trademark, or in describing water, is prohibited unless the water is "spring water" as defined in R9-8-201.

- D. Supplemental printed information and graphics concerning recognized uses of the water may appear on the label but shall not imply properties of the product or preparation methods which are not accurate.

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

R9-8-205. Source water sampling

- A. Samples shall be taken of approved sources of water by plant operators or their agents according to the schedule established in A.A.C. R18-4-223.
- B. Sampling and analyses shall be by laboratories certified in accordance with A.A.C. R9-14-602 and shall be in addition to any sampling performed by the Department.
- C. Original laboratory records of bacteriological analyses shall be kept by the bottler for five years. Records of chemical analyses shall be kept ten years.

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

R9-8-206. Finished product sampling

- A. To assure that the plant's production of bottled water is in compliance with 21 CFR 103.35 (4-1-89 Ed.), incorporated herein by reference and on file with the Office of the Secretary of State, the plant shall have the following analyses performed by a laboratory certified according to the provisions of A.A.C. R9-14-602:
 - 1. A representative sample from a batch or segment of a continuous production for each type of bottled water produced by the plant shall be analyzed weekly for microbiological purposes.
 - 2. A representative sample from a batch or segment of a continuous production for each type of bottled water produced by the plant shall be analyzed annually for chemical, physical and radiological compliance.
- B. The representative samples required in subsection (A) above shall be derived from the bottled product.
- C. Records of the sampling and analyses shall be maintained on file at the place of operation for a period of two years and shall be made readily available to the Director.

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

R9-8-207. Transportation vehicles

- A. Bottled water shall be transported in vehicles used only for the transportation of food and other non-toxic products.
- B. All vehicles transporting bottled water shall be clean and shall protect the bottled water from dust, dirt, insects and other vermin.

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

R9-8-208. Certification and inspection

- A. Upon application by an establishment, pursuant to R9-8-119, a bottled water processing certificate shall be issued prior to the establishment's operation and shall be valid for a period of one year. An establishment shall apply for renewal of its certificate no later than 60 days prior to its expiration.
- B. A bottled water processing certificate shall be issued when the bottler has complied with all provisions of this Article and has in its possession a certificate from the Department of Environmental Quality approving the water source.

- C. All bottled water processors shall be inspected prior to licensure and once every six months thereafter for compliance with the minimum standards of this Article.

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

R9-8-209. Public nuisance

- A. Any water supply, label, premises, equipment, process or vehicle which does not comply with the minimum standards of this Article shall be considered a public nuisance.
- B. All bottled water public nuisances shall be abated by revocation of the bottling establishment's permit or through the procedures established in A.R.S. § 36-601 or by any other means permissible by law.

Historical Note

Adopted effective August 6, 1990 (Supp. 90-3).

ARTICLE 3. PUBLIC TOILET FACILITIES

Editor's Note: Former Article 3 renumbered to Title 18, Chapter 9, Article 8 (Supp. 87-3).

R9-8-301. Definitions

In this Article:

1. "Bathroom" means a restroom that contains a shower or bathtub.
2. "Department" means the Department of Health Services.
3. "Director" means the Director of the Department of Health Services.
4. "Flooded" means a sanitary fixture that is overflowing sewage or filled with sewage to the point of overflowing.
5. "Lavatory" means a sink or basin for cleansing hands.
6. "Person" means a governmental agency, individual, organization, association, partnership, business, corporation, or company.
7. "Plumbing system" means sanitary fixtures, pipes, and related parts assembled to carry water into a structure and carry sewage out of a structure.
8. "Portable toilet" means a transportable toilet connected to a leakproof tank to receive and store sewage temporarily.
9. "Potable" means water obtained from a source or distribution system that complies with the requirements of the Department of Environmental Quality as provided in 18 A.A.C. 4.
10. "Putrescible waste" means a solid or semisolid waste material that is likely to decompose, decay, spoil, rot, or provide food for insects, rodents, birds, or other pests.
11. "Refuse" means putrescible and nonputrescible solid and semisolid waste, including trash, garbage, or rubbish.
12. "Restroom" means a structure or room containing a lavatory and toilet, or lavatory, toilet, and urinal, available to a guest or customer of a business or governmental agency, and unconnected to dwelling or sleeping quarters.
13. "Sanitary fixture" means a bathtub, floor drain, lavatory, shower, toilet, or urinal connected to a plumbing system.
14. "Sewage" means the liquid waste contained in a sanitary fixture or sanitary fixture drain pipe or any liquid containing putrescible particles, feces, or urine.
15. "Special event" means a group of 100 or more individuals gathered together in lawful assembly for 4 or more hours in an outdoor area that does not have restroom or bathroom facilities.
16. "Urinal" means an upright basin used by males for urination only.

Historical Note

Adopted effective April 10, 1997 (Supp. 97-2).

R9-8-302. Persons Responsible

An owner of a bathroom, restroom, or portable toilet, or a person who administers a special event, shall comply with the provisions of this Article.

Historical Note

Adopted effective April 10, 1997 (Supp. 97-2).

R9-8-303. Constructing and Maintaining a Restroom or Bathroom

- A. A restroom or plumbing system shall be installed and maintained according to the standards contained in A.A.C. R9-1-412(A)(3), the "Uniform Plumbing Code."
- B. Ventilation in a restroom or bathroom shall be provided according to the standards contained in A.A.C. R9-1-412(A)(1), the "Uniform Building Code."
- C. An interior floor, wall, ceiling, and the attached accessories in a restroom shall be kept clean, dry, and free of mold, holes, chips, cracks, or flaking. An interior restroom floor and wall joint shall be finished with a smooth sealant or trimmed with a wall base trim strip.
- D. An interior floor, wall, ceiling, and the attached accessories in a bathroom shall be finished with a smooth, waterproof, and washable surface. An interior bathroom floor and wall joint shall be waterproof.
- E. A bathroom or restroom shall be provided with:
1. Soap that is dispensed from a soap dispenser,
 2. A heated air blower or paper towels from a paper towel dispenser, and
 3. A constant supply of toilet paper from a toilet paper dispenser in each toilet.
- F. If a pressurized spray cleaning method is used in a bathroom or restroom:
1. A floor drain shall be built into the floor and the floor shall be sloped to the floor drain to promote drainage, and
 2. The interior floor and wall joints shall be waterproof.
- G. The following conditions in a bathroom or restroom are prohibited:
1. An open window without an insect screen,
 2. A sanitary fixture without potable water under pressure,
 3. A plumbing system leak,
 4. A dirty sanitary fixture, and
 5. A flooded sanitary fixture.

Historical Note

Adopted effective April 10, 1997 (Supp. 97-2).

R9-8-304. Constructing and Maintaining a Portable Toilet

A portable toilet shall be built and maintained to include:

1. A sewage storage tank, toilet seat, toilet, and urinal made of durable, smooth, leakproof, and rustproof materials;
2. Waterproof and durable floor, wall, ceiling, and door materials;
3. A vent pipe 3 inches in diameter connected to the sewage storage tank and extending 6 inches above the roof of the toilet enclosure; and
4. A constant supply of toilet paper from a toilet paper dispenser.

Historical Note

Adopted effective April 10, 1997 (Supp. 97-2).

R9-8-305. Common Bath Towel Prohibited

A cloth towel provided by a business for a guest or customer to use at the business shall be machine washed with detergent and machine dried before the cloth towel is issued to another guest or customer.

Historical Note

Adopted effective April 10, 1997 (Supp. 97-2).

R9-8-306. Special Events

- A.** Portable toilets and refuse containers shall be deployed at a special event as follows:
1. One portable toilet for the 1st 100 people, and 1 portable toilet for each additional 100 people, or portion thereof;
 2. One refuse container for the 1st 100 people, and 1 refuse container for each additional 100 people, or portion thereof; and
 3. Within 200 feet of the special event place.
- B.** Sewage and refuse generated at a special event shall be collected and disposed of under R9-8-307(A), (B), (C), and (E).

Historical Note

Adopted effective April 10, 1997 (Supp. 97-2).

R9-8-307. Disposal of Sewage and Refuse

- A.** The collection, storage, and treatment of sewage and refuse shall comply with the requirements of the Department of Environmental Quality under:
1. 18 A.A.C. 8, Article 6, and 18 A.A.C. 9, Articles 7 and 8, for sewage; and
 2. 18 A.A.C. 8, Article 5, for refuse.
- B.** A disposable refuse bag shall be used to store refuse generated at a special event. A full refuse bag shall be tied closed before disposal in accordance with subsection (A).
- C.** A refuse container in a bathroom or restroom, or at a special event, shall be free of accumulations of putrescible waste.
- D.** A bathroom or restroom exclusively for female use, or a combination male-and-female use restroom shall be provided with a refuse container with a matching lid.
- E.** An overflowing refuse container in a bathroom or restroom, or at a special event, is prohibited.

Historical Note

Adopted effective April 10, 1997 (Supp. 97-2).

R9-8-308. Inspection and Enforcement

- A.** An owner of a restroom, bathroom, or portable toilet, or a person who administers a special event, shall allow an inspector from the state or local health department to enter into and inspect the premises for compliance with this Article. An inspector from the state or local health department shall display a state or local agency identification credential before conducting an inspection.
- B.** If an inspector finds a violation of this Article, the inspector may issue a notice of violation to the owner of a bathroom, restroom, or portable toilet, or the administrator of a special event. A notice of violation shall specifically state the nature of the violation and allow a reasonable time for the violation to be corrected.
- C.** If the Director has reasonable cause to believe that a person is operating a bathroom, restroom, portable toilet, or special event in violation of this Article, the Director shall order the closure of the bathroom, restroom, portable toilet, or special event by issuing a cease and desist order under A.R.S. § 36-601. Violations of this Article may also be corrected under A.R.S. §§ 36-140, 36-602, 36-603, 36-605, or by any other lawful means.

Historical Note

Adopted effective April 10, 1997 (Supp. 97-2).

ARTICLE 4. RENUMBERED

See Title 18, Chapter 8, Article 5.

ARTICLE 5. TRAILER COACH PARKS

R9-8-501. Reserved

R9-8-502. Reserved

R9-8-503. Reserved

R9-8-504. Reserved

R9-8-505. Reserved

R9-8-506. Reserved

R9-8-507. Reserved

R9-8-508. Reserved

R9-8-509. Reserved

R9-8-510. Reserved

R9-8-511. Legal authority

The regulations in this Article are adopted pursuant to the authority granted by A.R.S. § 36-136(G)(11).

R9-8-512. Definitions

- A.** "Department" means the Arizona Department of Health Services.
- B.** "Dependent trailer coach" means a trailer coach which does not have a flush toilet, bathtub, or shower.
- C.** "Independent trailer coach" means a trailer which has a flush toilet, bathtub or shower, and lavatory.
- D.** "Park" means a trailer coach park.
- E.** "Person" means any individual, firm, trust, partnership, company, society, association, corporation, or political subdivision.
- F.** "Trailer coach" means any vehicle including mobile homes having no foundation other than wheels, jacks, or skirtings, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes. Removal of the wheels shall not change the meaning of the term.
- G.** "Trailer coach park" means any plot of ground upon which two or more trailer coaches, occupied for dwelling or sleeping purposes, are located regardless of whether or not a charge is made for such accommodation. This does not apply where all trailers are occupied by the owner of the plot and his immediate family, nor does it include areas provided for recreational purposes or overnight parking by agencies of the local, state and federal governments, where posted restrictions for use of such areas are provided.
- H.** "Trailer coach space" means a plot of ground within a trailer coach park designed for the accommodation of one trailer coach.

R9-8-513. Reserved

R9-8-514. Reserved

R9-8-515. Reserved

R9-8-516. Reserved

R9-8-517. Reserved

R9-8-518. Reserved

R9-8-519. Reserved

R9-8-520. Reserved

R9-8-521. Plans and specifications

- A.** No construction on or at a trailer coach park shall commence until the Department has approved the plans and specifications for the public water supply and sewage disposal system.
- B.** No person shall maintain or operate a trailer coach park without the written approval of the local health department.
- C.** A park plan showing all building locations and trailer coach spaces shall be provided as part of the plans and specifications.
- D.** No change or modification of water supply or sewage disposal in any existing trailer coach park shall be made until plans and

specifications have been submitted to and approved by the Department.

- E. All plans and specifications shall be submitted to the Department in quadruplicate.

R9-8-522. Application

- A. An application for approval by the Department, prepared in duplicate on forms furnished by the Department, shall be filed at the time the plans are submitted for approval. The form shall be completely filled out unless otherwise indicated.
- B. The distance to the nearest public water supply main and to a sewer main of a municipal or community system shall be given.

R9-8-523. Park plan

- A. The minimum size of trailer coach spaces shall be in compliance with regulations of local planning boards and other official agencies.
- B. The park shall be located on a site which is properly graded to ensure rapid drainage and the elimination of standing pools of water.

R9-8-524. Reserved

R9-8-525. Reserved

R9-8-526. Reserved

R9-8-527. Reserved

R9-8-528. Reserved

R9-8-529. Reserved

R9-8-530. Reserved

R9-8-531. Water supply

- A. The public water supply and distribution systems to the trailer spaces and service building shall comply with all provisions of Article 2 of this Chapter.
- B. The water supply system shall be so designed, constructed and maintained to provide a minimum supply demand of six fixture units at a residual pressure of not less than twenty pounds per square inch at each trailer site requiring water in addition to the water requirements of the service building.
- C. Each independent trailer coach space shall be provided with a cold water tap at least four inches above the ground.
- D. Hot water, a minimum of 120°F., shall be provided at all times in the service building for all bathing, washing, cleaning and laundry facilities.

R9-8-532. Reserved

R9-8-533. Sewage disposal system

- A. The sewage disposal system shall comply with all provisions of Article 3 of this Chapter.

- B. Where a public sewerage system is to be used and is already in existence, or if sewers are proposed and have been approved by the Department, it will only be necessary to show the location and size of the sewer lines within the park. Approval to construct the sewers serving the trailer park will not be given unless the capacity of the receiving sewers and the treatment facility which will receive the wastes is determined to have adequate capacity for the increased load resulting from the installation of the trailer park.

R9-8-534. Reserved

R9-8-535. Reserved

R9-8-536. Reserved

R9-8-537. Reserved

R9-8-538. Reserved

R9-8-539. Reserved

R9-8-540. Reserved

R9-8-541. Sanitation facilities

Toilets, bathing, laundry and other sanitation facilities shall be housed in a service building which shall present easy access from all trailer coach spaces by means of walkways or roadways.

R9-8-542. Service buildings

- A. Service buildings shall be permanent structures, complying with all applicable ordinances and statutes regulating building construction.
- B. Service buildings shall meet the following requirements:
1. All facilities shall be well lighted.
 2. They shall be ventilated with screened openings.
 3. They shall be constructed of such moisture-proof material, including painted woodwork, as shall permit repeated cleaning and washing.
 4. Properly vented heating facilities shall be provided.
 5. The floors of the service buildings shall be of water-impervious material and sloped to properly located floor drains.
- C. Service buildings containing toilet and bathing facilities shall not be located farther than 200 feet from any dependent trailer coach space.
- D. Existing parks serving dependent trailer coaches shall meet the requirements of this Section within six months from the effective date.

R9-8-543. Toilet facilities

- A. All parks accommodating dependent trailer coaches shall be provided with the following number of toilets, showers and other sanitation facilities:

NUMBER OF FACILITIES REQUIRED IN SERVICE BUILDINGS								
*Number of Trailer Parking Spaces	TOILETS		URINALS	LAVATORIES		SHOWERS		**Other
	Men	Women	Men	Men	Women	Men	Women	
1-15	1	1	1	1	1	1	1	1 service sink with a flush- ing rim
16-30	1	2	1	2	2	1	1	
31-45	2	2	1	3	3	1	1	
46-60	2	3	2	3	3	2	2	
61-80	3	4	2	4	4	2	2	1 utility sink
81-100	3	4	2	4	4	3	3	
For parking areas having more than 100 trailer spaces there shall be provided: 1 additional toilet and lavatory for each sex per each additional 30 trailer spaces; 1 additional shower for each sex per each additional 40 trailer spaces; and 1 additional men’s urinal per each additional 100 trailer spaces.								
*Parking spaces for dependent trailers, i.e., number of facilities required per number of dependent parking trailer spaces.								
**Additional fixtures including laundry trays, clothes washing machines (one for every 30 sites) and an ice making machine may be provided.								

- B.** Where a trailer coach park is designed for and exclusively limited to use by independent trailers, emergency sanitary facilities are not required.
- C.** When a park requiring a service building is operated in connection with a resort or other business establishment, the number of sanitary facilities for such business establishment shall be in excess of those required by the schedule for trailer spaces and shall be based on the total number of persons using such facilities.

R9-8-544. Community kitchens; recreational facilities

Trailer coach parks which provide a community kitchen or other recreational facilities shall comply with these rules and regulations relating to campgrounds and Article 2 of this Chapter relating to eating and drinking establishments.

R9-8-545. Reserved

R9-8-546. Reserved

R9-8-547. Reserved

R9-8-548. Reserved

R9-8-549. Reserved

R9-8-550. Reserved

R9-8-551. Waste disposal

- A.** The storage, collection, transportation and disposal of garbage, trash, rubbish, manure and other objectionable wastes shall be in accordance with the provisions of Article 4 of this Chapter.
- B.** Each trailer coach space shall be provided with a trapped sewer, at least three inches in diameter, which shall be connected to receive all liquid waste from the trailer coach located in such space. Except that a trapped sewer is not required in parks restricted to trailer coaches in which all fixtures discharge through a trap located in the trailer plumbing system.

R9-8-552. Reserved

R9-8-553. Reserved

R9-8-554. Reserved

R9-8-555. Reserved

R9-8-556. Reserved

R9-8-557. Reserved

R9-8-558. Reserved

R9-8-559. Reserved

R9-8-560. Reserved

R9-8-561. Enforcement

Any person who constructs, operates or maintains a trailer coach park contrary to the provisions of this Article is subject to the penalties provided by law.

ARTICLE 6. CAMP GROUNDS

R9-8-601. Reserved

R9-8-602. Reserved

R9-8-602. Reserved

R9-8-602. Reserved

R9-8-602. Reserved

R9-8-602. Reserved

R9-8-602. Reserved

R9-8-602. Reserved

R9-8-602. Reserved

R9-8-610. Reserved

R9-8-611. Scope

The regulations in this Article shall apply to any city, county, city and county, village, community, institution, person, firm or corporation operating, maintaining or offering for public use within the state of Arizona any tract of land on which persons may camp or picnic either free of charge or by payment of a fee. Each and every owner and lessee of any public camp or picnic ground shall be held responsible for full compliance with these regulations.

R9-8-612. Supervision

- A.** The management of every public camp or picnic ground shall assume responsibility for maintaining in good repair all sanitary appliances on said ground and shall promptly bring such action as may be necessary to prosecute or eject from such ground any person who willfully or maliciously damages such appliances or any person who in any way fails to comply with these regulations.
- B.** At least one caretaker shall be employed by the management to visit said camp or picnic ground every day that campers or picnickers occupy said ground. Such caretaker shall do what-

ever may be necessary to keep said ground and its equipment in a clean and sanitary condition.

- C. Each camping party shall be allotted usable space of not less than 350 square feet.

R9-8-613. Water supply

- A. The water supply system shall be in accordance with Article 2 of this Chapter and shall be provided in ample quantity to meet all requirements of the maximum number of persons using such ground at any time. Said water supply shall be easily obtained from its source or on a pipe distribution system from faucets which shall be located not more than 300 feet from a camp or picnic spot within such ground. If water supply is obtained direct from above-ground source, said source must be covered properly and water withdrawn by means of open pipe or faucet as approved by the Department. In no case can dipping from open springs, seeps or wells be permitted.
- B. Any water considered unsafe for human consumption in the vicinity of such ground, to which campers or picnickers may have access, shall be either eliminated or purified or shall be kept posted with placards definitely warning persons against its use.

R9-8-614. Protection against fires

No fires shall at any time be so located as to endanger automobiles or other property in the camp ground. No fires shall be left unattended at any time, and all fires shall be completely extinguished before leaving.

R9-8-615. Sewage and refuse disposal

- A. Supervision and equipment: Supervision and equipment sufficient to prevent littering of the ground with rubbish, garbage or other refuse shall be provided and maintained. Fly-tight depositories for such materials shall be provided and conspicuously located. Each and every camp or picnic spot on said ground shall be within a distance of not over 200 feet from such a depository. These depositories shall not be permitted to become foul smelling or unsightly or breeding places for flies.
- B. The method of final sewage or refuse disposal utilized in connection with the operation of any camp or picnic ground shall be such as to create no nuisance.
- C. Basins: A sufficient number of basins, iron hoppers or sinks shall be provided and each shall be connected with a sewerage system; these are to be used for the disposal of domestic waste waters.

R9-8-616. Toilets

Fly-tight privies or water-flushed toilets shall be provided and shall be maintained in a clean and sanitary condition. Separate toilets for men and women shall be provided, one for each 25 men and one for each 25 women or fraction thereof of the maximum number of persons occupying such ground at any time. No camp or picnic spot within such ground shall be at a greater distance than 400 feet from both a women's and men's toilet. The location of all toilets shall be plainly indicated by signs.

R9-8-617. Construction and maintenance of buildings

If cottages, cabins, tent houses, dwelling houses or other structures to be used for human habitation are erected in any public camping ground, the following requirements in their construction shall be observed: (Note: All local building ordinances must be complied with in addition to observing the following requirements.)

- 1. All wood floors shall be raised at least 18 inches above the ground and space underneath such floors shall be left open and free from obstruction on at least two opposite sides. All floors shall be constructed of tongue and groove material.
- 2. Interior walls shall be of surfaced lumber or other material that may easily be kept clean and shall be constructed

so that they may always be kept in a thoroughly clean condition.

- 3. No room for sleeping purposes shall have less than 500 cubic feet of air space for each occupant.
- 4. The area of window space in each sleeping room shall be equal to at least one-eighth of the floor area of the room.
- 5. Windows of sleeping rooms shall be so constructed that at least half of each window can be opened.
- 6. Cooking, including the preparation and storing of food must not be allowed in any room used for sleeping. Partitions and doors between cooking and sleeping rooms must be tight.
- 7. If kitchen is provided, it must be equipped with running water and a sink connected with a sewerage system or septic tank. Kitchen must be screened against flies and mosquitoes.
- 8. If inside toilet is provided it must be water flushed and connected with a sewerage system or septic tank. Room containing such toilets must have window opening to the outside air. Bath and lavatory must be connected with sewerage system or septic tank.
- 10. Covered metal garbage containers must be provided, at least one for every two buildings.
- 11. Buildings shall be cleaned daily and after each occupancy shall be thoroughly cleaned. If bedding is provided it must be kept in a clean condition.

ARTICLE 7. SCHOOLS

R9-8-701. Reserved

R9-8-702. Reserved

R9-8-703. Reserved

R9-8-704. Reserved

R9-8-705. Reserved

R9-8-706. Reserved

R9-8-707. Reserved

R9-8-708. Reserved

R9-8-709. Reserved

R9-8-710. Reserved

R9-8-711. Sanitation; general

- A. Regulations in this Article shall apply to any public, private or parochial school.
- B. The yards shall be free of puddles and clean.
- C. The school building structurally shall have a watertight roof and interior walls of even cleanable surfaces.
- D. Ventilation, whether natural or artificial shall be non-noxious and controlled to prevent objectionable air currents on students.
- E. Cafeterias or lunchrooms shall have a minimum window area equal to 12 1/2% of the floor area.

R9-8-712. Water supply

- A. Each school building shall be provided with an ample supply of water, preferably from an approved municipal or public water supply system. If such a system is not available, water from an underground source approved by the Department may be obtained. Such separate supplies must meet the requirements of Article 2 of this Chapter and school authorities shall be responsible for the submission of samples for bacteriological analysis to the Arizona Department of Health Services Laboratory. All pumps shall be maintained in good working order and an adequate supply of water shall be maintained.

There shall be adequate pressure and quantity to operate all water supply fixtures efficiently at all times.

- B.** Drinking water shall be dispensed by means of:
 1. An angle jet sanitary fountain with nozzle opening above overflow rim, and producing a water stream free of contact with fixtures; or
 2. A sanitary cooler, of a type approved by the Department, and single-service paper cups retained in a sanitary container.
- C.** The use of the common drinking cup and the vertical jet bubbler type fountain is prohibited.
- D.** The minimum number of drinking fountains shall be provided on the following basis:
 1. Elementary grades -- one for each 50 students.
 2. Junior and Senior high schools and colleges -- one for each 100 students.
 3. A minimum of one fountain on each classroom floor.

R9-8-713. Sanitary facilities

- A.** The minimum number of sanitary facilities shall be provided on the following basis:
 - Slop sink - One each story
(inc. basement)
- B.** Paper towels and soap shall be furnished in all lavatories. Common towels are prohibited. General toilet rooms should be ventilated by means of a forced air exhaust system.
- C.** Toilet paper shall be available at all times.
- D.** Lavatories with hot and cold or tempered running water are required and shall be located in toilet rooms or immediately adjacent thereto. On new construction or replacement, sanitary toilet seats of the split or U-shaped type made of non-absorbent material shall be installed.
- E.** In rural schools, where handwashing facilities are not located in the toilet rooms, one lavatory shall be provided for each school room.
- F.** Toilet room floors shall be constructed of concrete or other water-impervious material pitched to a suitably located trapped floor drain. In new construction the floor drains shall be connected by means of a separate line to the building sewer. If partitions are provided between flush bowls, they shall be raised at least 12" from the floor.

R9-8-714. Showers

- A.** When athletic or gymnastic activities are conducted in a school, showers shall be provided. There shall be one shower-head for each 6 users, based upon the maximum demand at any one period.
- B.** Shower and locker rooms, when provided, shall be constructed with concrete or other impervious floors pitched to a suitable trapped drain and the walls and ceilings shall be of smooth, easily-washable material. These rooms shall be sufficiently well ventilated to prevent the accumulation of disagreeable odors and condensation upon interior surfaces. If lockers are provided, they shall be set on a solid base or raised 6" above the floor if open underneath. In all new construction lockers shall be set on a solid base.
- C.** If the bath towels are supplied by the school, they shall be for individual use only and shall be laundered before reissue.

R9-8-715. Sewage disposal

- A.** All liquid wastes from a school building shall be discharged into a public sewerage system when possible. When a public sewerage system is not available, liquid wastes shall be disposed of into a septic tank system approved by the Department as provided in Article 3 of this Chapter.
- B.** Privies shall not be approved except in extreme cases. Where used, they shall be of a standard type approved by the Department.

- C.** All plumbing shall comply with local regulation and the standards adopted by reference in R9-1-412(D).

R9-8-716. Garbage and refuse

- A.** Fly-proof and water-tight metal containers shall be provided for garbage. Garbage cans shall be emptied at least three times weekly, thoroughly washed, and never allowed to become foul smelling or a breeding place for flies.
- B.** Combustible rubbish shall be collected in metal-covered containers and disposed of in a safe and sanitary manner.
- C.** Garbage and refuse shall be disposed of in a manner which creates neither a nuisance nor a menace to health and in conformance with the requirements of Article 4 of this Chapter.

R9-8-717. Food handling

Article 1 of this Chapter is applicable to all schools where food is handled, stored or sold.

ARTICLE 8. PUBLIC AND SEMIPUBLIC BATHING PLACES

R9-8-801. Reserved

R9-8-802. Reserved

R9-8-803. Reserved

R9-8-804. Reserved

R9-8-805. Reserved

R9-8-806. Reserved

R9-8-807. Reserved

R9-8-808. Reserved

R9-8-809. Reserved

R9-8-810. Reserved

R9-8-811. Definitions

- A.** "Approved" means acceptable to the Department.
- B.** The term "bathing place" as used in these regulations includes all bodies of water used collectively by a number of persons for swimming, wading or recreation bathing purposes, together with the shores, bathhouse, sanitary facilities, bathing suits, equipment and appurtenances pertaining to such bathing places; except that these regulations do not apply to private swimming pools as herein defined, nor do they include baths used for cleansing purposes, hydrotherapy or for the healing arts, unless such baths consist of a pool or pools used collectively by a number of individuals.
- C.** "Construct" means, and includes, building or installing a new bathing place or enlarging or altering existing facilities.
- D.** "Cross connection" is any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other sewage or water of unknown or questionable safety, through which water may flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.
- E.** "Department" means the Arizona Department of Health Services or its designated representative.
- F.** "Fill and draw pool" means a swimming pool where the principal means of cleaning is the complete removal of the used water and the replacement thereof with clean water.
- G.** "Flow through pool" means a swimming pool where clean water constantly enters the pool and an equal quantity of used water constantly flows out of the pool.
- H.** "Natural bathing place" includes natural outdoor lakes, ponds, rivers, etc.

- I. "Operate" means to conduct, maintain or otherwise provide facilities and appurtenances at bathing places.
- J. "Private pool" means a pool established or maintained on any premise by an individual for his own or his family's use or for guests of his household.
- K. "Public pool" means a swimming pool such as municipal, community, commercial, or cooperative, admission to which may be gained by the general public with or without payment of a fee.
- L. "Recirculating pool" means a swimming pool where a portion of the pool water is constantly being removed, treated, filtered and disinfected and then returned to the pool.
- M. "Semi-artificial bathing place" means outdoor bathing places which are partly artificial and partly natural in character.
- N. "Semipublic pool" means a swimming pool on the premises of, or part of, a hotel, motel, trailer court, apartment house, country club, camp or similar establishment where the primary business of the establishment is not the operation of swimming facilities and where admission to the use of the pool is included in the fee, or consideration paid or given for the primary use of the premises.
- O. "Spray pond" means an artificially constructed basin into which water is sprayed but not allowed to accumulate.
- P. "Swimming pool" means, and includes, all entirely artificially constructed fill and draw, flow through or recirculating pools, either indoors or outdoors.
- Q. "Wading pool" means a shallow pool intended chiefly for use by children, having a separate basin to contain the water and a maximum water depth of 20 inches.

R9-8-812. Water quality standards

- A. Quality of water -- Swimming pool water shall be so treated and maintained, whenever the swimming pool is open for use, that the bacterial, chemical and physical quality of the water meets the standards set forth in this Article.
- B. Only water from approved sources shall be used in swimming pools and other bathing places.
- C. Bacterial standards -- Of any 3 consecutive dechlorinated samples of the pool water collected when the pool is open for use:
 1. None shall contain more than 200 bacteria per milliliter nor shall the average bacteria count of the 3 samples exceed 100 per milliliter.
 2. At least 60% of the 10 milliliter portion shall give a negative test for bacteria of the coliform group and no sample shall show positive for the coliform group in 3 out of 5 ten-milliliter portions.
- D. Chemical standards -- Whenever chlorine, or a chlorine compound, is employed for swimming pool disinfection, the amount of free chlorine in the water as shown by the orthotolidine "flash" test shall not be less than 0.4 ppm nor more than 1.0 ppm; nor shall the pH of the water be less than 7.0 nor more than 8.0, except that higher residuals will be allowed with corresponding increase in pH. During periods of heavy bathing loads, disinfection residuals shall be maintained near the upper limits of the permissible range.
- E. Physical standards -- The surface of the pool water shall be kept free of scum and foreign floating matter. The bottom and sides of the pool shall be maintained free of sediment, dirt, slime and algae. Water in the pool shall be maintained free of turbidity and shall be sufficiently clear so that the main drain grille is clearly visible from the side of the pool.
- F. Tests -- Tests of the residual disinfectant, pH, temperature and cleanliness of the pool water shall be made by the operator as frequently as necessary to maintain the standards required by this regulation. The pool operator shall use approved equipment suitable for the performance of these tests and shall maintain daily operating records. Such records shall be made available to state and county health department officials upon request.

R9-8-813. Life guards; safety equipment

- A. In all public pools one life guard, expert in rescue and resuscitation, shall be provided for each 2,000 square feet of pool surface area or fraction thereof.
- B. Life guards shall be in constant attendance during bathing hours and no bather shall be permitted in a pool area unless such life guards are present.
- C. Each public swimming pool shall have at least one elevated life guard chair for each 2,000 square feet of pool surface or fraction thereof.
- D. Safety equipment consisting of at least 2 ring buoys, each with 50 feet of 1/2 inch rope attached, and one shepherd's crook shall be provided at each public pool. One ring buoy, with lifeline attached, and one shepherd's crook shall be provided at each semipublic pool. Safety equipment shall be located and maintained ready for immediate use at all times.
- E. A lifeline shall be installed in all public swimming pools at the change in floor slope between the shallow and deep portions of the pool. The lifeline shall be 3/4 inch minimum diameter.

R9-8-814. Excluded persons

Persons with sore or inflamed eyes, colds, nasal or ear discharges, boils or other acute or obvious skin or body infections, or cuts shall be excluded from the pool. No person in or at a swimming pool shall commit, or be permitted to commit, any act prejudicial to the life or health of any other person using the pool.

R9-8-815. Instructions

All persons shall be instructed before entering the pool, by means of suitable, clearly lettered signs properly located, to use the toilet, take a cleansing shower and observe all safety regulations.

R9-8-816. Suits and towels

Bathing suits, towels, linens or similar articles provided to patrons shall be properly washed with soap and boiling water and thoroughly dried after each individual use and before another use.

R9-8-817. First-aid kit

There shall be provided for emergency use a standard first-aid kit. In addition, at public pools, a standard stretcher and two blankets shall be provided.

R9-8-818. Reserved**R9-8-819. Reserved****R9-8-820. Reserved****R9-8-821. Repealed****Historical note**

R9-8-821 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-822. Repealed**Historical note**

R9-8-822 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-823. Concessions

Drinks, candy, tobacco, popcorn, gum, or food of any kind shall not be permitted within the pool enclosure.

R9-8-824. Operation

All bathing place facilities shall be operated and maintained in a clean and sanitary condition at all times.

R9-8-825. Reserved**R9-8-826. Reserved****R9-8-827. Reserved****R9-8-828. Reserved****R9-8-829. Reserved****R9-8-830. Reserved****R9-8-831. Repealed****Historical Note**

R9-8-831 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-832. Repealed**Historical Note**

R9-8-832 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-833. Repealed**Historical Note**

R9-8-833 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-834. Repealed**Historical Note**

R9-8-834 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-835. Repealed**Historical Note**

R9-8-835 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-836. Repealed**Historical Note**

R9-8-836 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted

summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-837. Repealed**Historical Note**

R9-8-837 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-838. Approval to operate

Operation of newly constructed public or semipublic bathing places shall not commence before a final inspection has been made and approval to operate has been given by the local health department. Where a local health department does not exist the final inspection shall be made by the Department.

R9-8-839. Repealed**Historical Note**

R9-8-839 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-840. Reserved**R9-8-841. Repealed****Historical Note**

R9-8-841 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

Exhibit A. Repealed**Historical Note**

Exhibit A repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-842. Repealed**Historical Note**

R9-8-842 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-843. Repealed**Historical Note**

R9-8-843 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-844. Repealed

Historical Note

R9-8-844 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-845. Repealed

Historical Note

R9-8-845 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-846. Repealed

Historical Note

R9-8-846 repealed by summary action with an interim effective date of July 6, 1998; filed in the Office of the Secretary of State June 8, 1998 (Supp. 98-2). Adopted summary rules filed October 9, 1998; interim effective date of July 6, 1998, now the permanent effective date (Supp. 98-4).

R9-8-847. Design standards and specifications; natural and semi-artificial bathing places

- A. Approval of natural and semi-artificial bathing places will be based upon the results of a sanitary survey of the drainage area and the results of bacteriological, chemical and physical quality of the water in the proposed bathing area.
- B. The water shall be considered acceptable for bathing purposes, from a bacterial standpoint, when the average MPN of coliform organisms of a representative number of samples is not greater than 1000 per 100 ml.
- C. A bathing place shall be located so that it will not be adversely affected by the discharge of sewage or objectionable industrial wastes; nor shall it be so located that by its use it will affect the source of supply of a public water supply system.
- D. The provisions of R9-8-846 shall apply to all natural and semi-artificial bathing places, except that hot water for showers and lavatories may not be required.

R9-8-848. Reserved

R9-8-849. Reserved

R9-8-850. Reserved

R9-8-851. Violations

Any person, firm, company, corporation or political subdivision constructing, operating or maintaining a public or semipublic bathing place contrary to the provisions of these rules shall be prosecuted in accordance with A.R.S. § 36-140.

Historical Note

Editorial correction, spelling of "political" (Supp. 89-2).

R9-8-852. Inspections

Inspections of public and semipublic bathing places shall be made by representatives of the state or county health departments to determine that installed facilities and operational procedures comply with these rules. Should the Department, after inspection of a bathing place, find that an extreme safety or health hazard exists, they may order the immediate suspension of the operation of the establishment. Such suspension of operation shall continue until, in the opinion of the Department, the hazard has ceased to exist. The

Department may suspend operation for repeated or continued violation of any of the Department's rules.

ARTICLE 9. BEDDING

R9-8-901. Definitions

In addition to the definitions contained in A.R.S. § 36-796, in this Article, unless otherwise specified:

1. "Applicant" means the following persons requesting a license:
 - a. If an individual, the individual owning the bedding establishment;
 - b. If a corporation, any 2 officers of the corporation;
 - c. If a limited liability company, the designated manager or, if no manager is designated, any 2 members of the limited liability company;
 - d. If a partnership, any 2 of the partners; or
 - e. If a joint venture, any 2 individuals signing the joint venture agreement.
2. "Bedding establishment" means a store or factory where a bedding is manufactured, renovated, or treated.
3. "Disinfect" means to kill bacteria, fungi, and parasites of human significance on the surface of a secondhand bedding by applying a liquid spray containing microbicide, fungicide, and insecticide over the surface of the secondhand bedding.
4. "Labeling" means the handwritten, printed, and graphic information displayed on a bedding tag under A.R.S. § 36-796.02 and the rules contained in this Article.
5. "License" means authorization by the Department to manufacture, renovate, or treat a bedding.
6. "Manufacture" means to make a bedding using new or secondhand material or a mixture of both new and secondhand material.
7. "Petition" means a request for approval of an alternate treatment method.
8. "Sterilize" means to kill all microorganisms and parasites in or on a bedding by either a penetrating chemical or cumulative heat.
9. "Tag" means a card, flap, or strip attached to a bedding.
10. "Treat" means to clean and disinfect or sterilize a bedding or filling material.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-902. Bedding License Application

- A. An applicant shall complete and submit to the Department a bedding license application form supplied by the Department that contains all of the following:
 1. The full name and mailing address of the applicant,
 2. The name of the bedding establishment,
 3. The street address for the bedding establishment,
 4. The telephone number for the bedding establishment,
 5. The classification of bedding license requested,
 6. The license number of each bedding license held in Arizona or any other state by the applicant,
 7. A description of any treatment method the applicant plans to use, and
 8. The signature of the applicant and the signature date.
- B. An applicant intending to operate bedding establishments at multiple locations shall submit a completed license application for each location.
- C. An applicant may request the same license number issued to the applicant by a different state. The Department may issue a license with the requested license number, provided the number is not already in use in Arizona.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-903. Time-frames

- A. This Section applies to a bedding license under R9-8-902 or a petition under R9-8-917.
- B. The overall time-frame described in A.R.S. § 41-1072(2) is 60 days for a bedding license and 30 days for a petition.
- C. The administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 30 days for a bedding license and 15 days for a petition and begins on the date the Department receives an application.
 - 1. If any of the application documents is missing or if information on the submitted documents is deficient, the Department shall send to the applicant, by certified mail with return receipt, a written notice that states each deficiency and information and document needed to complete the application. The 30-day time-frame for a bedding license and the 15-day time-frame for a petition for the Department to finish the administrative completeness review are suspended from the postmark date of the deficiency notice to the applicant until the date the Department receives the deficient information or missing document.
 - 2. If all of the documents are submitted and the information on the documents is complete, the Department shall send a written notice of administrative completeness to the applicant.
 - 3. If the documents or information are not submitted within 180 days from the postmark date of notice of incompleteness for a bedding license and 90 days for a petition, the Department shall consider the application withdrawn.
 - 4. If the Department grants a license or approves a petition during the time provided to assess administrative completeness, the Department shall not issue a separate written notice of administrative completeness.
- D. The substantive review time-frame described in A.R.S. § 41-1072(3) is 30 days for a bedding license and 15 days for a petition, and begins on the postmark date of the notice of administrative completeness.
 - 1. For a bedding license, as part of the substantive review, the Department may schedule an inspection that may require more than one visit to the establishment.
 - 2. If an applicant or establishment does not meet the requirements of A.R.S. §§ 36-796 through 36-796.08 and this Article, the Department shall provide to the applicant a written notice of nonconformance that states each statute and rule upon which nonconformance is based.
 - a. Within 120 days for a bedding license and 60 days for a petition from the date of receipt of a written notice of nonconformance, the applicant shall submit to the Department additional information under A.R.S. § 41-1075 that consists of written documentation of the corrections required in the notice of nonconformance. The time-frame for the Department to finish the substantive review is suspended from the date the Department provides the written notice of nonconformance to the applicant until the Department receives documentation of corrections.
 - b. The Department shall issue a written notice of denial as prescribed in A.R.S. § 41-1076, if:
 - i. The applicant does not submit documentation of corrections within the time-frame in subsection (C)(2)(a); or
 - ii. Upon receipt of documentation of corrections from the applicant, the Department determines that the applicant or establishment does not

meet the requirements of A.R.S. §§ 36-796 through 36-796.08 and this Article.

- 3. If the applicant or establishment meet the requirements of A.R.S. §§ 36-796 through 36-796.08 and this Article, the Department shall issue a license to or approve the petition of the applicant.
- D. If a time-frame's last day falls on a Saturday, Sunday, or a legal holiday, the next business day will be considered the time-frame's last day.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-904. Issuance of License

- A. A bedding license issued by the Department shall bear the following information:
 - 1. The name of the bedding establishment;
 - 2. The street address of the bedding establishment;
 - 3. The full name of the licensee;
 - 4. The mailing address of the licensee;
 - 5. The license classification; and
 - 6. A unique identifying number, as determined by the Department.
- B. A license issued by the Department is nontransferable.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-905. License Classification

The Department shall issue the following types of bedding licenses:

- 1. Type "M" authorizing a person to manufacture a bedding from all new material, for either wholesale or retail sale; or
- 2. Type "R" authorizing a person to manufacture, renovate, or treat a bedding that contains, in whole or in part, secondhand material, for wholesale or retail sale.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-906. License Suspension or Revocation

- A. The Department may suspend or revoke a bedding license if the Department determines that the licensee has:
 - 1. Violated the rules of this Article or the provisions of A.R.S. §§ 36-796 through 36-796.08, or
 - 2. Provided false information on a license application.
- B. The Department shall serve notice that complies with A.R.S. § 41-1092.04 of a pending suspension or revocation action to a licensee.
- C. A license revocation or suspension hearing shall be conducted by the Office of Administrative Hearings under A.R.S. Title 41, Chapter 6, Article 10.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-907. Off-sale Procedure

- A. The Department shall issue an Off-sale order suspending the sale or potential sale of a bedding that violates the rules of this Article or the provisions of A.R.S. §§ 36-796 through 36-796.08.
- B. An Off-sale order shall contain all of the following:
 - 1. The date of issue;
 - 2. The name of the bedding owner, if known;
 - 3. The street address where the bedding is located;
 - 4. The name of the licensee, if known;
 - 5. The mailing address of the licensee, if known;
 - 6. The license number of the licensee, if known;
 - 7. The specific reason for the Off-sale order; and

8. The identifying number on the Off-sale tag attached to a bedding under subsection (C).
- C. Under A.R.S. § 36-796.01(E), a Department representative shall use a rubber, plastic, or metal cord to attach an Off-sale tag to a bedding.
- D. An Off-sale tag shall not be defaced, altered, or concealed from view.
- E. An Off-sale tag shall be removed from a bedding only as provided in subsection (F).
- F. A bedding ordered Off-sale shall not be sold or offered for sale until:
 1. A Department representative issues a Release for Sale order and removes the Off-sale tag, or
 2. The Department sends a Release for Sale order, by certified mail, instructing the licensee or bedding owner to remove the Off-sale tag.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-908. Off-sale Tag Requirements

- A. An Off-sale tag shall measure no less than 12 square inches in size.
- B. The labeling on an Off-sale tag shall comply with the general requirements contained in R9-8-911(A) and bear all of the following:
 1. A unique identifying number, as determined by the Department;
 2. The statements:
 - a. "THIS BEDDING SHALL NOT BE SOLD BECAUSE IT DOES NOT COMPLY WITH THE BEDDING ACT OF THE STATE OF ARIZONA"; and
 - b. "THIS TAG SHALL BE REMOVED ONLY AS PROVIDED IN A.A.C. R9-8-907(F)";
 3. The description of the bedding;
 4. The signature of the Department representative; and
 5. The date that the Off-sale tag is signed by the Department representative.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-909. Uniform Classification and Description of Filling Materials

A manufacturer or renovator shall describe a filling material using only the terms, words, and phrases adopted by the Association of Bedding and Furniture Law Officials in the "1996 Tagging Law Manual" (1996 Edition), pages 17 through 27, published by the International Sleep Products Association, 333 Commerce Street, Alexandria, VA, 22314, incorporated by reference, and on file with the Department and the Office of the Secretary of State. This incorporation by reference includes no future editions or amendments.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-910. Prohibited Filling Materials

In addition to the prohibited filling materials listed in A.R.S. § 36-796.03, a licensee shall not use a filling material containing any of the following:

1. Animal or insect excrement;
2. Animal skin;
3. Decayed animal or plant matter;
4. Dirt;
5. Insects;
6. Plant leaves;
7. Plant stems;
8. Trash; or

9. More than 5% by weight of oil, grease, fat, or a combination thereof.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-911. General Requirements for a Bedding Tag

- A. A white, red, green, or yellow bedding tag required under this Article shall comply with all of the following:
 1. The labeling on the tag shall be:
 - a. Imprinted on only one side of the tag,
 - b. No less than 1/16 inch high,
 - c. In English, and
 - d. In permanent black ink that does not rub or flake off.
 2. The tag shall:
 - a. Be made of polyolefin, plastic, vinyl, teslin, vellum cloth, or equivalent material that does not lose its labeling information when folded;
 - b. Contain the statement: "UNDER PENALTY OF LAW THIS TAG SHALL NOT BE REMOVED EXCEPT BY THE CONSUMER" at the top of the tag;
 - c. Be securely fastened to a completed bedding at the place of treatment or manufacture; and
 - d. Not be concealed or obstructed from view.
- B. A tag may contain additional information, provided the additional information is not inconsistent or contrary to the requirements of A.R.S. §§ 36-796 through 36-796.08, or this Article.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-912. Tag and Labeling Required on New Bedding

- A. A type "M" licensee shall attach a white tag, no less than 16 square inches in size, to each bedding manufactured by the licensee.
- B. A white tag shall bear all of the following specific labeling:
 1. The statement: "ALL NEW MATERIAL CONSISTING OF:" and a description of the contents in print no less than 1/8 inch high;
 2. A description of the filling materials in accordance with R9-8-909;
 3. An Arizona license number;
 4. The percentage, by weight, of the different filling materials present, listed by descending order of prevalence from the most to the least; and
 5. The statement: "THE MANUFACTURER CERTIFIES THAT THE MATERIALS IN THIS BEDDING ARE DESCRIBED IN ACCORDANCE WITH LAW;"

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-913. Tag and Labeling Required on Renovated Bedding

- A. A type "R" licensee shall attach a red tag, no less than 12 square inches in size, to each bedding manufactured by the licensee that contains any secondhand material. A red tag shall bear all of the following specific labeling:
 1. The words: "SECONDHAND MATERIAL", in letters 1/4 inch high;
 2. A description of the filling materials in accordance with R9-8-909;
 3. An Arizona license number; and
 4. The statement: "THE MANUFACTURER CERTIFIES THAT THE MATERIALS IN THIS BEDDING ARE DESCRIBED IN ACCORDANCE WITH LAW;"

B. A type "R" licensee shall attach a green tag, no less than 6 square inches in size, to a bedding renovated for the personal use of the bedding's owner. A green tag shall bear all of the following specific labeling:

1. The statement: "NOT FOR SALE, OWNER'S OWN MATERIAL WHICH IS SECONDHAND MATERIAL", in letters no less than 1/4 inch high;
2. The statement: "THE RENOVATOR CERTIFIES THAT THIS BEDDING WAS RECEIVED FROM THE OWNER FOR RENOVATION AND CONTAINS ONLY MATERIAL PROVIDED BY THE OWNER, PART OR ALL OF WHICH IS SECONDHAND MATERIAL CONSISTING OF:";
3. A description of the filling materials in accordance with R9-8-909;
4. The name and address of the owner of the bedding;
5. An Arizona license number; and
6. The renovation completion date.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-914. Tag and Labeling Required on Secondhand Bedding

- A.** In addition to a red or green tag required under R9-8-913, a type "R" licensee shall attach a yellow tag, no less than 12 square inches in size, to each secondhand bedding and each renovated bedding that is manufactured in whole or in part from secondhand material.
- B.** A yellow tag shall bear all of the following specific labeling:
1. The treatment method used,
 2. The license number of the licensee,
 3. The date treated, and
 4. A unique identifying number supplied by the licensee.
- C.** In addition to the labeling requirements in subsection (B), a yellow tag attached to a disinfected secondhand bedding shall bear all of the following specific labeling:
1. The statement: "THE RENOVATOR CERTIFIES THAT THIS SECONDHAND BEDDING HAS BEEN DISINFECTED BY A METHOD APPROVED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES"; and
 2. The words: "SECONDHAND", "BEDDING", and "DISINFECTED", in letters no less than 1/4 inch high.
- D.** In addition to the labeling requirements in subsection (B), a yellow tag attached to a sterilized secondhand bedding shall bear all of the following specific labeling:
1. The statement: "THE RENOVATOR CERTIFIES THAT THIS SECONDHAND BEDDING HAS BEEN STERILIZED BY A METHOD APPROVED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES"; and
 2. The words: "SECONDHAND", "BEDDING", and "STERILIZED", in letters no less than 1/4 inch high.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-915. Treatment of Secondhand Bedding

Except as provided in A.R.S. § 36-796.07, a person shall not sell or offer for sale a bedding containing any secondhand material unless it has been cleaned and disinfected or sterilized.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-916. Treatment Record

- A.** A type "R" licensee shall maintain a treatment record for each bedding and filling material that the licensee treats.
1. A bedding treatment record shall contain:
 - a. The treatment date,

- b. A description of the bedding,
- c. The treatment method, and
- d. The unique number required on the yellow tag under R9-9-914(B)(4).

2. A filling material treatment record shall contain:

- a. The treatment date,
- b. The description of the filling material,
- c. The treatment method, and
- d. The full name and address of the person for whom the filling material was treated.

B. A type "R" licensee shall keep each treatment record for a period of one year from the date of treatment.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

R9-8-917. Recommended Treatment Methods

- A.** The following treatment methods are approved by the Department:
1. Sterilization by steam for 30 minutes at a pressure of 15 pounds per square inch and a temperature of 250° F, or for 20 minutes a pressure of 20 pounds per square inch and a temperature of 260° F. A charting device installed on the sterilization chamber shall measure and record the chamber pressure and temperature over time.
 2. Sterilization by dry heat at a temperature of 230° F for 2 hours. A charting device installed on the sterilization chamber shall measure and record the temperature over time.
 3. Sterilization by submersion in boiling water for 10 minutes.
 4. Sterilization through a commercial dry cleaning process.
 5. A secondhand bedding may be disinfected by the application of a spray disinfectant registered by the United States Environmental Protection Agency for use on a bedding. The product shall be applied according to the manufacturer's instructions.
- B.** A licensee may submit a petition to the Department requesting the approval of an alternate treatment method.
1. The petition shall contain:
 - a. The full name, address, and telephone number of person submitting the petition;
 - b. A detailed description of the proposed alternate treatment method;
 - c. A written justification for the use of an alternate treatment method; and
 - d. Any data, including laboratory test data, which demonstrates the effectiveness of the proposed alternate treatment method.
 2. The Department shall approve the alternative treatment method if it determines that the proposed method complies with the requirements of A.R.S. §§ 36-796 through 36-796.08 and this Article.

Historical Note

Adopted effective October 9, 1998 (Supp. 98-4).

ARTICLE 10. RENUMBERED

See Title 18, Chapter 5, Article 4.

ARTICLE 11. REPEALED

Article 11, consisting of Sections R9-8-1111, repealed effective April 10, 1997 (Supp. 97-2).

R9-8-1111. Repealed

Historical Note

Repealed effective April 10, 1997 (Supp. 97-2).

ARTICLE 12. RENUMBERED

See Title 18, Chapter 8, Article 6.

ARTICLE 13. HOTELS, MOTELS, AND TOURIST COURTS

R9-8-1301. Reserved

R9-8-1302. Reserved

R9-8-1303. Reserved

R9-8-1304. Reserved

R9-8-1305. Reserved

R9-8-1306. Reserved

R9-8-1307. Reserved

R9-8-1308. Reserved

R9-8-1309. Reserved

R9-8-1310. Reserved

R9-8-1311. Legal authority

The regulations in this Article are adopted pursuant to the authority granted by A.R.S. § 36-136(G)(11).

R9-8-1312. Definitions

- A. "Approved" means acceptable to the Department.
- B. "Department" means the Arizona Department of Health Services or a local health department designated by the Arizona Department of Health Services.
- C. "Dwelling unit" means any suite, room, cottage, bedroom, or other unit established or maintained by a transient dwelling establishment for temporary occupancy.
- D. "Person" means the state, a municipality, district, or other political subdivision, a cooperative, institution, corporation, company, firm, partnership, or individual.
- E. "Plumbing or plumbing system" means and includes the water supply distributing pipes; the fixtures and fixture traps; the soil, waste, and vent pipes; and the building drains with their devices, appurtenances and connections either within or adjacent to the transient dwelling establishment.
- F. "Transient" means any member of the public who occupies a dwelling unit on a temporary basis in a transient dwelling establishment as defined above.
- G. "Transient dwelling establishment" means and includes any place where sleeping accommodations are available to transients or tourists on a temporary basis such as a hotel, motel, motor hotel, tourist court, tourist camp, rooming house, boarding house, inn, and similar facilities by whatever name called, consisting of two or more dwelling units; provided, however, that the term shall not be construed to include apartments, clubs, boarding houses, rooming houses, and similar facilities where occupancy of all dwelling units is on a permanent or semi-permanent basis.

R9-8-1313. Permits

- A. No person shall operate a transient dwelling establishment without first obtaining a permit from the local health department having jurisdiction. The owner, lessee, or operator of each transient dwelling establishment in operation upon the effective date of these regulations shall within ninety days thereafter obtain a permit, and the transient dwelling establishment shall comply in all respects with the requirements of these regulations; provided that the local health department upon proof of necessity made by the person concerned may, at its discretion, extend the time for compliance with any particular Section or Sections thereof.
- B. An application for a permit to operate a transient dwelling establishment shall be made in duplicate by the owner, lessee,

or operator to the local health department on forms furnished by the Department. Such forms shall be complete in all details and, in the case of new transient dwelling establishments, or additions and alterations to existing transient dwelling establishments, shall include plans and specifications of the proposed sanitary facilities and any other information as may be required by the local health department. Such permit will not be issued until the proposed or existing transient dwelling establishment complies with the provisions of these regulations.

- C. The permit shall be posted in a conspicuous place designated by the local health department.
- D. A permit may be revoked, denied or suspended by the local health department for failure or violation of any of the terms of these regulations or at any time when, in the opinion of the local health department having jurisdiction, the transient dwelling establishment has or may become a menace to public health.
- E. Permits shall be valid for the calendar year for which they are issued, or as otherwise specified by the local health department, and shall be renewed in accordance with the requirements of the local health department. Permits are not transferable, either from person to person or from one location to another location.

R9-8-1314. Inspection

Representatives of the local health department shall make such inspections of any transient dwelling establishment as are necessary to assure compliance with these regulations, but not less than once each year. A copy of the report of the inspection shall be furnished the owner, lessee, or operator of the transient dwelling establishment indicating the degree of compliance or non-compliance with the provisions of these regulations. Failure to correct any discrepancies noticed within the time limit specified shall be cause for denial, revocation, or suspension of the permit to operate.

R9-8-1315. Notification of disease

- A. The owner or operator of a transient dwelling establishment shall report to the local health department the name of any guest or employee suspected or known to have a contagious disease in accordance with A.R.S. Title 36, Chapter 6, Article 2.
- B. Every dwelling unit, after being occupied by a person known or suspected of having a contagious disease, shall be rendered noncontagious by disinfection, fumigation, or by other treatment methods as specified by the local health department before further occupancy.

R9-8-1316. Reserved

R9-8-1317. Reserved

R9-8-1318. Reserved

R9-8-1319. Reserved

R9-8-1320. Reserved

R9-8-1321. Dwelling units

- A. Dwelling units shall be of sufficient size to afford ample circulation of air and freedom of movement, but not less than 100 square feet of floor area shall be provided for each unit, exclusive of bathrooms, closets, kitchens, and similar ancillary facilities.
- B. Floors of all rooms shall be of such construction as to be easily cleaned and shall be kept clean and in good repair.
- C. The walls and ceilings of all rooms shall be of a finish that will permit easy cleaning and shall be kept clean and in good repair.

- D. Where windows are relied on to provide light and ventilation, the area of the windows for each dwelling unit shall be equal to at least 20% of the floor area.
- E. Not less than 25% of the window area furnished shall be capable of being opened unless other satisfactory means of ventilation is provided. Windows capable of being opened shall be effectively screened.
- F. Furniture, drapes, carpets, and other accessories shall be kept clean and in good repair.
- G. Dwelling units shall be maintained free of insects, rodents, and other vermin.
- H. The provisions of A.R.S. Title 36, Chapter 13, Article 2 relating to gas appliances shall be met.

R9-8-1322. Grounds

- A. Grounds of a transient dwelling establishment shall be properly graded and drained.
- B. Grounds shall be kept clean and free of accumulations of refuse and other debris. There shall be no evidence of fly, mosquito, or rodent breeding or infestation.

R9-8-1323. Reserved**R9-8-1324. Reserved****R9-8-1325. Reserved****R9-8-1326. Reserved****R9-8-1327. Reserved****R9-8-1328. Reserved****R9-8-1329. Reserved****R9-8-1330. Reserved****R9-8-1331. Bedding**

- A. The beds, mattresses, pillows, and bed linen, including sheets, pillow slips, blankets, etc., used in all transient dwelling establishments shall be maintained in good repair, shall be kept clean and free of vermin, and shall be properly stored when not in use.
- B. Each bed, bunk, cot, or other sleeping place shall be provided with pillow slips, under and top sheets for the use of guests. Sheets and pillow slips shall be adequately sized to completely cover the mattress and pillow.
- C. Clean linen shall be provided to each new guest and shall be changed at least once each week when occupancy exceeds this period.

R9-8-1332. Food service

The storage, preparation and serving of food and drink shall comply with the requirements of Article 1 of this Chapter.

R9-8-1333. Drinking water; ice

- A. Where drinking fountains are provided, the fountain shall be constructed so that the drinking is from a free jet projected at an angle from the vertical and provided with a guard to prevent the mouth being placed directly against the orifice. There shall be no possibility of the orifice becoming submerged. The fountain bowl shall be constructed of nonabsorbent, easily cleanable material.
- B. All glasses and other multi-use utensils furnished to each dwelling unit shall be cleaned and sanitized in an approved manner after each occupancy. Single-service paper cups with suitable dispenser may be substituted for glasses.
- C. The use of a common drinking cup is prohibited.
- D. Ice shall be obtained from an approved source and shall be stored and handled in such a manner as to prevent contamination.

R9-8-1334. Refuse

- A. All refuse shall be stored and disposed of in accordance with Article 4 of these regulations.

- B. Garbage cans shall be thoroughly washed after emptying and shall be maintained free of odors and other objectionable conditions.
- C. All containers for rubbish shall be cleaned as often as necessary to prevent a nuisance.
- D. All refuse containers shall be maintained in good repair.

R9-8-1335. Water supply

Each transient dwelling establishment shall be provided with an adequate and safe water supply from an approved source. Whenever a transient dwelling establishment finds it necessary to develop a source or sources of supply, complete plans and specifications of the proposed water system shall be submitted to the Department and approval received prior to the start of construction. The design, construction, and operation of all such water supply systems shall comply with Article 2 of this Chapter.

R9-8-1336. Toilet; lavatory

- A. Adequate and convenient toilet, lavatory, and bathing facilities shall be provided at all transient dwelling establishments and shall be available to the guests at all times.
- B. Where private or connecting toilet rooms are not available for each dwelling unit, separate and plainly marked central toilet rooms for each sex shall be provided, located within 200 feet of such units.
- C. Central toilet rooms shall provide not less than one toilet, one lavatory, and one tub or shower for each sex for each 10 dwelling units, or major fraction thereof, not having private or connecting baths. At least one urinal shall be provided in each central toilet room designated for men.
- D. Hot and cold water and soap shall be provided in all toilet rooms. Clean, individual sanitary towels shall be furnished for each guest.
- E. Toilet rooms shall be well lighted and ventilated. Where gravity or mechanical ventilation is provided, the ventilation ducts for the toilet rooms shall not be connected into ventilation ducts from or to any dwelling unit.
- F. Floors of all toilet rooms shall be of easily cleanable construction, shall be kept clean and in good repair, and where necessary shall slope to properly located drains.
- G. Walls and ceilings of all toilet rooms shall be of easily cleanable construction and shall be kept clean and in good repair.

R9-8-1337. Sewage disposal

- A. The liquid wastes from all transient dwelling establishments shall be discharged into a public sewer system in compliance with applicable local ordinances or codes or into separate sewage disposal facilities approved by the Department.
- B. Separate sewage disposal facilities will not be approved where in the opinion of the Department connection to a public sewer is practicable.
- C. Where separate sewage disposal facilities are proposed the design, construction and operation of such systems shall be in accordance with Article 3 of this Chapter. Plans and specifications for such systems shall be submitted to the Department and approval received prior to the start of construction.
- D. Recommendations are found in the Engineering Bulletins of the Department to assist in compliance with these regulations regarding the design of sewage disposal systems. Copies of these Bulletins may be obtained from the Department.
- E. No sewage treatment effluent or other wastewater shall be deposited on the surface of the ground except in a manner approved by the Department.

R9-8-1338. Plumbing

All plumbing shall be installed in accordance with any local ordinance or code. Where a local ordinance or code does not exist,

plumbing shall be installed in accordance with the requirements adopted by reference in R9-1-412(D).

ARTICLE 14. REPEALED

Article 14, consisting of Sections R9-8-1411 thru R9-8-1413, repealed effective April 10, 1997 (Supp. 97-2).

R9-8-1411. Repealed

Historical Note

Repealed effective April 10, 1997 (Supp. 97-2).

R9-8-1412. Repealed

Historical Note

Repealed effective April 10, 1997 (Supp. 97-2).

R9-8-1413. Repealed

Historical Note

Repealed effective April 10, 1997 (Supp. 97-2).

ARTICLE 15. REPEALED

Article 15, consisting of Sections R9-8-1511 and R9-8-1512, repealed effective August 15, 1989 (Supp. 89-3).

ARTICLE 16. REPEALED

R9-8-1601. Reserved

R9-8-1602. Reserved

R9-8-1603. Reserved

R9-8-1604. Reserved

R9-8-1605. Reserved

R9-8-1606. Reserved

R9-8-1607. Reserved

R9-8-1608. Reserved

R9-8-1609. Reserved

R9-8-1610. Reserved

R9-8-1611. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1612. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1613. Reserved

R9-8-1614. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1615. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1616. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1617. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1618. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1619. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1620. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1621. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1622. Repealed

Historical Note

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R9-8-1623. Reserved

R9-8-1624. Repealed

Historical Note

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R9-8-1625. Repealed

Historical Note

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R9-8-1626. Repealed

Historical Note

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R9-8-1627. Repealed

Historical Note

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R9-8-1628. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).

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R9-8-1629. Repealed

Historical Note

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R9-8-1630. Repealed

Historical Note

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R9-8-1631. Repealed

Historical Note

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R9-8-1632. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-6-1633. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
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R9-8-1634. Repealed

Historical Note

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R9-8-1635. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1636. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1637. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1638. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1639. Repealed

Historical Note

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Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1640. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1641. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1642. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1643. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1644. Repealed

Historical Note

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R9-8-1645. Repealed

Historical Note

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R9-8-1646. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
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R9-8-1647. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1648. Repealed

Historical Note

Adopted effective September 21, 1976 (Supp. 76-4).
Repealed effective October 9, 1998 (Supp. 98-4).

R9-8-1649. Repealed

Historical Note

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Repealed effective October 9, 1998 (Supp. 98-4).

ARTICLE 17. RENUMBERED

See Title 18, Chapter 8, Article 4.

ARTICLE 18. RENUMBERED

See Title 18, Chapter 8, Article 2.

ARTICLE 19. EMERGENCY EXPIRED

Article 19 consisting of Sections R9-8-1901 through R19-8-1905 adopted as an emergency effective June 18, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Language deleted (Supp. 87-2).